THE MUNICIPALITY OF METROPOLITAN TORONTO 1953

METROPOLITAN TORONTO POLICE 1957

PARKING
ENFORCEMENT AND ADMINISTRATION
IN
METROPOLITAN TORONTO

July 1991

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RECOMMENDATIONS

(References in brackets to Sections of this report)

It is recommended that:

(1) **Metropolitan Council indicate its support of the Ministry of the Attorney General initiatives to transfer to municipalities responsibility for processing of default cases, subject to agreement being reached on cost-sharing for the processes assumed by the municipality;** (Section 10.2)

(2) **Metropolitan Council request that the Attorney General effect the enforcement provisions of the Provincial Offences Act on the outstanding default convictions resulting from parking tag cases filed since September 1, 1989, and process these cases as quickly as possible through to collection under the plate denial process;** (Section 8.3)

(3) (a) **Metropolitan Council request that the Attorney General review the present trial scheduling process in an effort to reduce the number of appearances in court of enforcement officers;**

(b) **if improvements are not possible through the provincial ICON system, the Attorney General be requested to assign specific dedicated court rooms and sufficient staff for parking tag trials and allow Metropolitan Toronto to assume responsibility for assigning and preparing dockets for those court rooms; and**

(c) **with respect to (b), funding be provided by the Province of Ontario for developing and operating the court scheduling system;** (Section 7.1.2)

(4) **Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:**

(a) **extend the time for filing fail to respond and requests for trial documents to 75 days from the date of issuance of the Parking Infraction Notice;** (Section 3.4)

(b) **permit substituted service for "drove away" offenders by the mailing of the Parking Infraction Notice or other appropriate notification to the vehicle owner's registered address;** (Section 3.2)

(c) **include a prosecutorial right of reopening default convictions which are found to be in error;** (Section 3.3)

(d) **provide for a plea of "guilty with an explanation" similar to that available for Part I offences;** (Section 3.3)

(e) **provide for a written dispute mechanism similar to that available for Part I matters;** (Section 3.3)

(f) **permit a Justice of the Peace to register a conviction and to order enforcement for plate denial concurrently;** (Section 3.5)

(g) **permit a computer printed image on the Court Filing Document of the Certificate of Ownership, as defined in Section 6 of the Highway Traffic Act, to be introduced as prima facie evidence of ownership for processing of parking tags;** (Section 5.5)

(5) **Metropolitan Council request the Province of Ontario to amend the Highway Traffic Act and any required Regulations governing the Vehicle Registration System to permit a direct municipal computer access to the Ministry of Transportation computer system on a "read-only" basis to obtain the information as provided on the Certificates of Ownership;** (Section 5.5)

Subject to the Province of Ontario enacting the necessary amendments to the Provincial Offences Act and the Highway Traffic Act as requested in Recommendations (4) and (5):

(6) **Metropolitan Toronto issue a Notice of Intent to File, as detailed in the Implementation Plan, to:**

(a) **notify offenders that an unpaid parking tag will be filed with the Ministry of the Attorney General according to the provisions of POA II;**

(b) **allow for payments to be accepted in response to such a Notice before filing the unpaid tag with the Ministry; and**

(c) **provide the public with an opportunity to advise the municipality of issuing errors so that errors may be investigated and corrected before filing the unpaid tag with the Ministry;** (Section 11.4)

(7) **Metropolitan Toronto implement processing of default cases, as detailed in the Implementation Plan;** (Section 11.5)

(8) **Metropolitan Council request the Metropolitan Toronto Police Services Board and the Chief of Police to:**

(a) **consolidate parking enforcement operations and policy functions within Traffic Operations, as detailed in the Implementation Plan, by December 31, 1992;**

(b) **develop information systems in conjunction with the Treasury Department, integrated with the Tag and Accounts Receivable Tracking System for effective personnel deployment, pound management and any other management requirements for parking enforcement;**

(c) **prepare the 1992 budget estimates for the Police Force identifying the consolidated costs of parking enforcement as a separate cost centre;** (Section 11.6)

(9) **the Commissioner of Transportation, in consultation with the Metropolitan Toronto Technical Traffic Committee, the Metropolitan Solicitor and area municipality Solicitors, report on a process to review municipal parking and traffic by-laws in order to make recommendations to consolidate and simplify such by-laws where possible.** (Section 3.6)

(10) **A Task Force be established chaired by the Chief Administrative Officer and including a Member of Council, the Metropolitan Treasurer, the Metropolitan Solicitor, the Commissioner of Transportation and the Chief of Police, with responsibility for implementation of the recommendations in this report, as approved by Council;** (Section 11.2)

(11) **the appropriate Metropolitan officials be authorized to take the necessary action to give effect thereto.**

EXECUTIVE SUMMARY

1.0 PARKING MANAGEMENT

At its meeting on October 10 and 11, 1990, Metropolitan Council adopted the following motions referring to Parking Enforcement and Administration in Metropolitan Toronto and directed that:

(a) the Chief Administrative Officer and the Commissioner of Finance review all corporate revenue accounts, particularly Parking Tag Revenue and report to Council on any measures to increase revenue;

(b) the Transportation Committee, in conjunction with the Metropolitan Toronto Police Force and the Treasury Department, be requested to review all aspects of parking enforcement, and submit to Metropolitan Council recommendations on how to better serve the public in this regard;

(c) the Chief Administrative Officer be requested to report on the feasibility of moving the parking control activity from the domain of the Metropolitan Toronto Police Force to a municipal organization;

This report is submitted in accordance with the Council direction that a review of parking tag revenue and parking enforcement be undertaken, as well as the feasibility of moving parking control activity from the Metropolitan Toronto Police Force.

An integrated parking management system, to be entirely effective, should include policy, legislation, enforcement and administration. However, due to an urgent need to determine whether or not the Police Force should continue to enforce parking violations, increased concerns regarding delays in the collection of monies due to Metropolitan Toronto, the processing and trial bottlenecks in the courts and the growing public awareness of some of the inherent weaknesses in the current Provincial Offences Act, Part II (POA II) legislation and regulations, this report will concentrate on legislation, enforcement and administration.

The Commissioner of Transportation submitted a separate report to the Transportation Committee on June 13, 1991 discussing other issues relating to a Parking Management Program, which was forwarded to the Management Committee for information, to be considered with this report.

A review of issues was undertaken by the Chief Administrative Officer, Chief of Police, Metropolitan Treasurer, Metropolitan Solicitor and Commissioner of Transportation bearing in mind the following enforcement and administration objectives of:

(a) Improved traffic and transit flow,
(b) Effective response to enforcement demand, and
(c) Timely collection of monies due to Metropolitan Toronto.

2.0 HISTORY

From the formation of Metropolitan Toronto in 1953 until 1983, the payment and processing of all parking tags issued within the municipality was handled by court offices of the Ministry of the Attorney General (MAG). In 1983, the Province of Ontario informed Metropolitan Toronto that it would discontinue this processing, which was unique to Metro, and only agreed to continue this processing if the municipality reimbursed MAG for all administrative costs incurred. In 1987, the Province decided that Metropolitan Toronto should assume the entire pre-court stage of the parking tag process and these functions were centralized in the Treasury Department with the formation of the Parking Tag Operations Section (PTO).

The issuance of tags was consolidated with the formation of the Metropolitan Toronto Police Force in 1956 and continues to the present.

In 1988, the Province advised that its prosecutors would not prosecute any parking tags or other by-law offences as of January 1, 1989 and a By-Law Prosecution Section was created in the Legal Department.

Parking tags are issued for violations of parking and traffic by-laws of Metropolitan Toronto and the area municipalities under the provisions of Part II of the Provincial Offences Act (POA II). POA II, which was enacted in 1980 by the Province, sets forth the legal procedures to be followed in the enforcement and prosecution of minor offences and replaces the Summary Convictions Act. While enacted in 1980, the provisions of POA II which pertain to parking offences were not proclaimed in force until 1987, allowing municipalities to opt into the new legislation until September 1, 1989 when it would be mandatory.

The issue of sharing of parking tag fine revenue with the area municipalities has been outstanding for a long time. In 1984, Metropolitan Toronto requested that the Province amend the Metro Act to provide that fines imposed for contraventions of non-building code area municipal by-laws, other than those for parking and traffic violations, belong to the respective area municipalities when they initiate a prosecution. During the intervening time period, there has been opposition to this amendment raised by the City of Toronto. The City has requested that the Metro Act be amended to direct that all fines and penalties for traffic and parking violations occurring on all streets within the City belong to the City and the City would assume responsibility for enforcement. In a 1986 report to the Metropolitan Board of Commissioners of Police, the Chief of Police recommended that the responsibility for enforcement not be assumed by the area municipalities so that the standards for enforcement would be maintained and consistent throughout the Metropolitan Area.

On June 20, 1991, the Minister of Municipal Affairs wrote to the Metropolitan Chairmain indicating that he would be recommending to Cabinet that the Metro Act be amended as originally requested by Metropolitan Toronto. These amendments will bring to a close this issue.

3.0 LEGISLATION AND BY-LAWS

Part II of the Provincial Offences Act (POA II) sets forth the legal procedures for enforcement and prosecution of municipal parking by-laws adopted by the area municipalities and Metro Council. POA II is based on the plate to owner system of vehicle registration. Under POA II, a defendant can request a trial upon receipt of a Parking Infraction Notice (PIN), pay the voluntary payment within 7 days or the set fine within 15 days. Fine amounts are recommended by the municipality and approved by the Court (Chief Judge).

POA II was intended to simplify the enforcement and prosecution of parking tags by including, among other features, the introduction of the deterrent of denying a person a renewal of his/her permit due to unpaid parking fines at the time of their plate sticker renewal (plate denial). However, a number of weaknesses and constraints have been identified in the legislation which inhibit enforcement, prosecution and administration.

Approximately 2,000 standing and stopping violations a week cannot be pursued because the legislation requires the PIN (tag) to be affixed to the car. Some drivers, upon seeing an enforcement officer, simply drive away before the tag can be completed and placed on the vehicle.

Current procedures to correct errors after filing with the courts are complicated and costly to the public, the courts and the municipality. Although an extensive quality control effort is employed at various stages of the pre-court processing cycle, some errors (less than one-half of 1 percent) are still filed with the courts. Under the current deadline of 45 days for filing unpaid cases with the courts, there is not adequate time to forward and process payments or corrections from the public using a means of notification other than the tag.

The by-laws governing parking enforcement have inherent inconsistencies which inhibit enforcement. Description variations, inconsistent voluntary and set fines and infractions directed to narrow or specific use increases the level of complexity of enforcement and processing. It is essential that the process of coordination of bylaws be pursued and in the Metropolitan Toronto area, this issue should be reviewed by the Commissioner of Transportation in consultation with the Technical Traffic Committee.

4.0 ENFORCEMENT

The issuance of parking tags was consolidated under the Police Force in 1956 and governed under the Summary Convictions Act (SCA) until 1989. In 1988, coincident with a change in fines, at the request of Council 46 additional Parking Enforcement Officers (PEOs) were added to the Force. In May 1990, the Police Force established the Special Parking Enforcement Unit to respond to local concerns and assume responsibility for tagging on rush hour routes. At the end of 1990, TTC inspectors were appointed Municipal Law Enforcement Officers (MLEO's) to enforce stopping, standing and parking restrictions at transit stops.

The police cadet program is currently coordinated within Traffic Support Services as are the MLEO's who work for security companies and enforce, under contract to property owners, parking restrictions on private property.

Over the past three years tag issues have been at an annual level of approximately 3.2 million tags. Based on a recent sampling it was found that 70 percent of the tags are issued by the civilian PEO's, 10 percent by MLEO's and TTC inspectors, 12 percent by cadets and 8 percent by Police Officers. Of the 8 percent issued by Police Officers, a majority are issued as a result of complaints and radio calls. Over 85,000 such complaints are received and responded to each year. The use of civilian resources rather than Police Officers, to service these calls would permit the allocation of Police officers to more serious matters. The current establishment of 193 PEOs is assigned to work in the 17 Divisions of the Police Force. In addition there are 56 PEOs and 45 cadets assigned to Traffic Support Services.

Co-ordination of parking enforcement within the Police Force was not effective until the development of the parking enforcement function within Traffic Support Services. Although enforcement is performed by a single agency using civilian and police staff, it operates on a decentralized basis within 22 separate divisions or units. Policy and direction are provided through each of these units as well as from Corporate Police Planning, Summons Bureau and the five district Headquarters. Consequently, reacting to the parking related issues facing Metropolitan Toronto and area municipalities often seems slow and disjointed.

Although some improvements in co-ordination and deployment of civilian enforcement officers have been accomplished, there remain a number of further changes to be made that, when implemented, would have a positive impact on enforcement.

5.0 & 6.0 PARKING TAG OPERATIONS AND DEFAULT PROCESSING

The PTO Section of the Treasury Department is responsible for processing all parking tags from the time of issuance by the Police Force through to filing with the Provincial Court. This includes initial processing of tags, receiving payments from the public, responding to inquiries and complaints, processing Requests for Trial, obtaining vehicle registration information from the Ministry of Transportation and collecting and matching all documents in preparing for filing outstanding parking tags with the Court.

The Metropolitan Corporation was advised in 1989 that the provincial infrastructure and systems to accommodate POA II were in place and ready to accept the anticipated volume of cases (unpaid and trial requests). In September 1989, Metropolitan Toronto implemented a new computer system to process all parking tags under POA II. In the fall of 1990, Council approved the present organization and structure of

Parking Tag Operations (PTO). PTO has successfully met the challenges and opportunities presented since the introduction of POA II. New systems have been put in place, processing deadlines consistently met and service to the public enhanced since September 1989.

However, the courts have not been able to successfully process, on a routine basis, the 5,000-7,000 cases which PTO files with them each day. The courts have experienced service delays in obtaining convictions on unpaid tags, collecting and processing payments and enforcing plate denials. It should also be noted that the processes used in collection of unpaid items and transfer of vehicle registration information are cumbersome and costly to both Metropolitan Toronto and the Ministries of the Attorney General and Transportation. Further use of automation and technology would serve to simplify processing of unpaid and trial request documents, expedite convictions and notification to the offender and processing of payments.

Because of these and other problems, while over 1,450,000 convictions have been obtained, only $12,900,000 in Parking Tag fines have been collected to date and remitted to Metro Toronto. The conviction rate exceeds 90 per cent and statistics provided by the Ministry of the Attorney General indicate that there are over $27,000,000 in outstanding fines due to Metro.

7.0 TRIALS/PROSECUTION

Under POA II legislation, trials are only scheduled for unpaid tags if a request for trial (RFT) is received before the unpaid Certificate of Parking Infraction (CPI) is filed with the courts. To date, PTO has received over 120,000 RFTs. Requests have steadily increased since the implementation of POA II in 1989 to the present, from 1.4 percent to 3.3 percent of all tags issued.

These volumes have resulted in inordinate delays in scheduling trials, (currently scheduling in late 1992) problems of police attendance and overtime, courtroom availability (night court requests are received at a rate of 8 to 1 over day court) and a heavy workload on court staff. The result is cases are not being heard, are thrown out because of delays and, in some cases, remanded even when the defendant, although having requested the trial, does not show up.

8.0 PLATE DENIAL

While the Ministry of Transportation maintains that the plate denial system is effective, the system has not so far proven to be effective in collecting outstanding fines for Metro Toronto. Only a small percentage of an estimated 1,450,000 tags (cases) convicted by the courts have been forwarded for plate denial.

9.0 TAGS ISSUED VS REVENUE COLLECTED

A number of initiatives have been undertaken over the years to encourage payment of outstanding parking tags. In 1982, a Notice of Pending Summons (NPS) was introduced and was in effect until POA II was introduced in September 1989. The total pre-court payment rate including payments received from the NPS was estimated at 65 percent.

As a deterrent to illegal parking, in September 1988, the fine structure was altered such that the fines doubled and tripled fine amounts from the time of issue through the NPS stage and the summons stage. This change is considered to have been largely responsible for increasing tag revenue by $12,000,000 in 1988 over 1987 and $10,000,000 in 1989 over 1988.

With the implementation of POA II, however, a new fine structure came into effect. The "old" first level fine on the parking tag became the "voluntary payment" on the "new" parking tag, or Parking Infraction Notice (PIN). The "old" second and third level fines have become the "set fine" on the PIN. The set fines are requested by the municipality and approved by the Chief Judge of the Ontario Court - Provincial Division. The set fines are 50% greater than the voluntary payment. Therefore, while the voluntary payment is the same as the "old" first level fine, the set fine is less than the second level fine and there is no longer a third level fine. The result is a decrease in revenues and a diminished deterrent effect. The Commissioner of Transportation is reviewing the fine levels within the context of the other parking management issues and will be reporting on recommendations to change the voluntary payment and set fines.

10.0 OPTIONS

Subsequent to the direction of Council last October, various options have been proposed for the reorganization and improvement of Parking Enforcement and Administration in Metropolitan Toronto. Ministry of the Attorney General staff have prepared an internal report for the Minister proposing changes to the Court process to affect all municipalities in Ontario. Metropolitan Council has requested that the Chief Administrative Officer report on the feasibility of moving the Enforcement activities from the Police Force to another agency and also consider consolidating all Parking Enforcement and Administration under one central agency. With the recent publicity surrounding increased overtime costs experienced by the Police Force and increasing costs of providing all municipal services, the possibility of privatizing Parking Enforcement and Administration must be addressed. A number of options have been considered and are summarized as follows:

(1) Assumption of more responsibility for processing parking tags by municipalities as detailed in the draft proposals of the Ministry of the Attorney General presented to AMO in a discussion paper;

The Ministry of the Attorney General has communicated with the Association of Municipalities of Ontario (AMO) to solicit assistance in addressing the problems and issues with respect to POA II. The submission to AMO outlines the previously expected benefits to municipalities of POA II; for example, improved enforcement and out of court default convictions and the expected benefits to the Province of freeing up court rooms and reducing the defaulted payments to 20 percent to 30 percent of the total volume.

The Ministry acknowledges that more rather than less demands have been placed on the staff of court offices due to a significant increase in volumes of parking infractions and the amount of work required to process filed parking infractions (cases). Unfortunately, the courts were not prepared to accommodate the increases in default cases, processing of payments, dealing with inquiries and scheduling trial requests. Some key parts of the process are having a negative impact on payments to the municipalities.

The Ministry proposals conclude that only trial requests should be handled by the Courts with the remainder of the default cases (unpaid tags) being administered by the municipality and presents a number of recommended changes to the process and legislation which will impact Metropolitan Toronto and other Ontario municipalities.

It is in Metro's best interest to support any initiatives to increase the level of service to the public, to improve cash flow and collect monies due to the Corporation. In turn, the Province will save considerable overhead costs and experience reduced adverse publicity related to parking infractions with the implementation of the proposals. As outlined in this report, Metropolitan Toronto will incur substantial one-time and on-going costs with the assumption of additional processing responsibilities.

Although the objectives of the Province and Metro appear to be the same, a number of details must be worked out in order to successfully transfer default processing to Metro and other Ontario municipalities.

(2) Transfer enforcement responsibility from the Police Force to another agency, either within Metro or a private firm;

The Chief Administrative Officer was requested to report on the feasibility of moving the enforcement activities from the Police Force to another agency. The alternatives available include transfer of enforcement responsibility to an agency within Metropolitan Toronto to enforce parking by-laws, contracting an outside company to provide the necessary services or allowing the area municipalities to be responsible for their own by-law enforcement.

The issue of parking enforcement includes much more than issuing the PIN. The infrastructure and support systems are equally important and include such items as communications, data processing and transportation systems. The issuance of PINs and towing of motor vehicles does not happen without verbal and physical confrontation and it is difficult to believe that enforcement would continue as effectively without Police Force involvement.

If privatization is the recommended alternative, there are other issues. Historically, it has not been acceptable for enforcement officers or others responsible for the administration of justice to be paid on a volume basis. Quotas and commission payments for enforcement are unacceptable to the Municipality. A private company providing the enforcement service will be subject to the same cost pressures as the Police Force. Requiring attendance in court by the personnel of a private company will still be a significant factor in the cost of issuing PIN's. On the positive side, the contract will set expectations on the contractor for level of service and return. Costs are known and finite.

It is necessary to review the objective of transferring enforcement of parking by-laws from the Police Force to another agency. There is increasing concern by Council that Police involvement with parking enforcement results in both excessive amounts of Police officer's time spent on writing parking tags and appearing in court and yet inconsistent and slower response to parking complaints because of the lower priority assigned to them.

There is another alternative to transferring enforcement from the police. That is, to consolidate parking enforcement within the Police Force by enhancing Traffic Support Services. The gains in operational effectiveness, removal of parking enforcement related calls for service from police officers and consistent enforcement practices would assist the long and short term goals of the Metropolitan Corporation.

Consolidation of parking enforcement within the Police Force achieves the benefit of maximizing the use of civilian resources for enforcement while maintaining the benefits of affiliation with police support services.

(3) Transfer processing and administrative responsibility from PTO to another agency;

Under this option, there are a number of alternatives available to the Corporation, including the status quo, transferring responsibility for processing from the Treasury Department to another department, transfer to a separate public agency, transfer to a private agency or combination of the above for specific functions and responsibilities.

Transfer of the responsibilities for processing and collection to an outside company, or privatization, has been proposed as an option. It is necessary to clearly define the objective of privatization in any consideration of the issue. There is some concern that not enough money is being collected from parking tags and that an outside agency could collect more money on Metro's behalf. Privatization can also be seen as a way to cut costs and reduce Metro's investment in equipment and computer systems and increasing staff requirements.

If the objective is to collect more money than is collected currently, a private company acting on Metro's behalf would be subject to the same backlogs and delays in processing by the court, being experienced by Metro today. Until changes have been made and resources committed by the Province to reduce the processing backlogs, Metro will not be able to implement processes to significantly impact on revenues, either through PTO or a private company.

Another objective of privatization is to reduce operating costs. Metro would not be faced with the one-time costs of hardware purchases and software required to implement any change in processes legislated by the Province. The contract would determine the expectation the company for the level of service provided and rates of return. Costs are known and finite. A company providing the service would be subject to the same cost pressures as Metro for ongoing operating costs and would have to recover their initial investment in systems and make a profit through the fees charged. It is reasonable to expect that Metro would have to pay a premium over the ongoing costs now incurred.

Currently, Metro uses a mix of public and private sector expertise to operate the parking tag process. With the proposed changes, almost 50% of Metro's ongoing processing costs would be privatized, while maintaining Metro staff contact with the public and control of all processes.

The administration and processing overhead is currently equivalent to 76¢ per tag issued. The projected overhead after implementation of the initiatives contained in the report is estimated to be $1.89 per tag. Economically, it would appear that an alternative that would reduce the administration and processing overhead to under $1.89 would be worth investigating.

Privatization of processing and administration would require a considerable amount of time to implement including the establishment of criteria and issuance of request for proposals through to evaluation of proposals and recommendation to Council. The process through to conversion to the outside company is expected to require from 12 to 18 months to complete.

It is submitted that the solutions proposed in this report can be executed without total privatization of the processing and administrative responsibilities. Delaying the takeover of processes from the Provincial government, while implementing a changeover to a private company will only delay the increased efficiency and revenue which Council is seeking.

(4) Centralize Parking Management under one Metro agency, including policy, enforcement, administration and processing of tags.

Creating a central agency to deal with all aspects of enforcement and administration of parking tags is similar to the issue of privatization of the whole system without Metropolitan Toronto completely losing control over the process.

The immediate establishment of a single agency responsible for all aspects of parking enforcement would not necessarily result in improved parking management or increased revenues. The very diversity of having the various functions under four departments has, in-fact, protected the integrity of Metro's enforcement and collection processes.

This report concludes that the consolidation of the major components of Parking Management, Enforcement, Administration and Prosecution into one agency is best considered on an evolutionary basis. It is acknowledged that better coordination among the four departments is required to effectively implement Council's objectives.

11.0 RECOMMENDED STRATEGY

The objectives of the strategy recommended in this report are as follows:

(1) to strengthen and streamline the process of enforcement through consolidation of parking enforcement responsibilities within the Police Force;

(2) to protect the integrity of the default process and enhance and expedite collection of revenues accruing from enforcement through the introduction of a Notice of Intent to File and assumption of default processing from the Province;

(3) to promote better management of parking issues in Metro Toronto through the formation of an Implementation Task Force and an ongoing Parking Management group to coordinate and review all issues relating to parking management.

However, it is essential to realize that implementation of the recommended strategy is contingent upon the changes in legislation, without which Metropolitan Toronto will be limited in its opportunities to improve collection of revenues which can fund both improved administration and consolidation of enforcement.

The recommendations contained in this report include a request to the Province of Ontario to make amendments to POA II to allow municipalities to make improvements in enforcement, payments and correction of errors in order to reduce the number of cases filed with the Courts. These amendments would allow Metro to issue a Notice of Intent to File to offenders before filing unpaid tags with the courts and also transfer responsibility to Metropolitan Toronto for processing of all default cases and the collection of all related fines. This will result in a consolidation of the administration of parking tag collection both before and after conviction to provide more effective service to the public and more efficient collection of Metro's revenues.

In addition, the legislative amendments proposed would provide a framework for a more efficient trial scheduling system leading to more effective prosecution of parking offences and a reduction in attendance and overtime costs related to enforcement officers and also would allow enforcement of "drove aways".

The recommendations include resolving the current enforcement issues by consolidating parking enforcement under one police unit commander and establishing the consolidated unit in three locations, one of which would contain Parking Tag Operations. This will further consolidate enforcement operations and processing administration in a single facility.

The formation of a management group made up of management personnel from each area for the consolidated operation will provide a framework for interaction, information exchange and problem resolution. Creation of an Implementation Task Force will ensure cost-effective utilization of funding.

The effects of implementing the recommended strategy are to enhance Metro's collection of revenues, obtain more effective enforcement of parking by-laws, and consolidate and identify all operations necessary for effective parking enforcement and administration and its associated costs. Once this has taken place, a review of privatization or management change within the organization is more relevant.

12.0 IMPLEMENTATION PLAN

The Implementation Plan is contingent upon the recommended changes in legislation being enacted by the Province of Ontario during the fall sitting of the Legislature. This will allow Metropolitan Toronto to start issuing a Notice of Intent to File and, subject to negotiation of cost-sharing agreements, also allow Metropolitan Toronto to assume the processing of default cases and the issuance of the Notice of Fine and Due Date. The resulting increased collection of fine revenues will finance the one-time and ongoing costs of implementing these two processes, as well as the consolidation of parking enforcement within the Police Force.

The implementation plan costs and increased revenues are based on the following schedule:

	Implementation Plan Schedule
November 1991	Province of Ontario amends POA II
January 1992	Metro Council approves Implementation Plan and awards contracts
February	Police Force begins consolidation of parking enforcement
April	Metro starts issuing Notice of Intent to File
June	Metro starts issuing Notice of Fine and Due Date
December	Consolidation of parking enforcement complete

REVENUE ESTIMATES

The expected benefit to Metropolitan Toronto of issuing a Notice of Intent to File includes increases in pre-court payment rate of approximately 10 percent, an additional pre-court quality control check, thereby, reducing the error rate filed with the courts, reduction in the number of default cases (unpaid tags) filed with the courts, thus reducing court overhead costs and an overall improvement in level of service to the public. The Notice of Intent to File process is expected to generate an annual revenue in excess of $9,300,000. It is important to note that since collection at this stage translates into less tags processed to conviction, the incremental effect on total revenue on an annualized basis from this process is estimated to be at least $7,400,000.

The assumption of processing of default cases from the Court would result in PTO staff entering the convictions and cases quashed by a Justice of the Peace into the PTO computer system from the completed dockets. PTO staff will produce the conviction notice, called the Notice of Fine and Due Date (NFDD), from this file and add the $2.50 court cost to each tag. The NFDD process is expected to generate an annual revenue in excess of $13,200,000. With the current process, in 1991, Metropolitan Toronto expects to receive $9,800,000 in collected fines from the Court. The incremental effect on total revenue on an annualized basis from both processes is estimated to be at least $14,000,000.

The consolidation of parking enforcement will result in better deployment of parking enforcement officers and it is estimated that tag issuance will increase by at least 300,000 annually. The incremental effect on total revenue on an annualized basis is estimated to be at least $5,300,000.

The annualized effect on revenues is best illustrated by the chart below:

(Dollars in Thousands)	1991 Budget	Metro Issues Notice of Intent to File	Metro Issues Notice of Fine and Due Date	Enforcement Consolidation
Pre-court payment	$32,700	$34,000	$34,000	$37,200
Notice of Intent to File		9,300	9,300	10,100
Notice of Fine and Due Date	9,800	6,600	13,200	14,500
	$42,500	$49,900	$56,500	$61,800
Revenue Increase over 1991 Base		7,400	14,000	19,300

The increases in revenue shown do not include revenue realized from collection of the outstanding cases currently being processed by the Courts. The redirection in the provincial workload resulting from the assumption of processes by Metropolitan Toronto and the reduction in cases filed with the Courts should result in improved collection efforts and processing of the outstanding amounts. At the present time, no estimate has been made of the anticipated revenue by either the Ministry or Metro staff.

COST ESTIMATES

To accomplish the improved collection and enforcement processes and the resulting revenue increases, resources will be required for one-time project costs to implement the required systems and infrastructure both in PTO and the Police Force and for recurring costs of operations.

ONE-TIME COSTS

The one-time costs of implementation of the Notice of Intent to File and Notice of Fine and Due Date include changes and additions in applications software and computing equipment which are required to accommodate the increased processing and service responsibilities. Software and data base changes are required to process and track the Notice of Intent to File and Notice of Fine and Due Date cycles, provide correction and revised data entry, payment processes and public inquiries. Additional computing equipment is required to support these changes as well as to provide an expanded information base of all enforcement and processing activity and maintain a high computer system uptime.

A project of this magnitude requires a project Manager. A considerable amount of interraction will be required between the various Ministries, Metro departments and outside companies to ensure appropriate project management. The activities include computer systems development, enhancements, acquisition of hardward, facilities search, renovations, training, etc. The successful and timely implementation of the project undertaken by PTO in 1989 was due, in part, to the strong project management. Other costs will include furniture and equipment for new staff, renovations to a consolidated facility to be shared with Traffic Support Services of the Police force and training and moving costs. To effectively communicate to the public the changes in responsibilities and services, a communications campaign should be developed to insure public awareness of the transition from the Province to Metropolitan Toronto. The one-time costs for implementation of the Notice of Intent to File and Notice of Fine and Due Date are estimated to be $2,115,000.

The one-time costs of consolidation of enforcement within the Police Force include consolidation of staff from 17 divisions to three central sites, vehicles, radios and other necessary equipment. PEOs are currently assigned to divisions with provision for lockers, supervisors, vehicles, radios and other necessary equipment and accommodations. The majority of this equipment and supervisory personnel are shared with other divisional functions and forms part of the infrastructure for operation of the division. The major expense of consolidation is the acquisition and renovation of three sites to accommodate the 300 enforcement staff. There are currently no facilities available within the Force to accommodate these staff. The one-time costs of consolidating enforcement are estimated to be $2,550,000.

RECURRING COSTS

Recurring costs for the operation of the Notice of Intent to File and Notice of Fine and Due Date processes include the production, printing, mailing and payment processing for all notices, additional staffing to handle the increased volume of complaints and inquiries, documents for processing and payment transactions. The enhanced computer systems would result in increased maintenance costs and the additional space requirements would result in increased rental payments. The increase in annual costs of operation are estimated to be $2,789,000.

The consolidation of enforcement within Traffic Support Services would require additional recurring costs for rent for the three central sites, supervisory staff for parking enforcement, equipment and vehicle operating costs and administration costs. The increase in annual operating costs for parking enforcement are estimated to be $3,105,000.

The annualized effect on costs is best illustrated by the chart below:

(Dollars in Thousands)	Metro Issues Notice of Intent to File & Notice of Fine & Due Date	Enforcement Consolidation
One-time costs	$2,115	$2,550
Recurring Costs	2,789	3,105

COST RECOVERY

The increased costs of implementation and ongoing operations have not been adjusted, at this time, to reflect any recovery of costs from the Province of Ontario. If Metropolitan Toronto assumes the processing of the Notice of Fine and Due Date from the Province, it would be appropriate for the Province to provide funding for that process. While it would be desirable to receive specific funding from the Province to cover all costs of the process, an appropriate mechanism to defray costs may be to allow Metropolitan Toronto to retain all court costs collected. Based on the estimated volumes in the Implementation Plan, the estimated recovery of costs would be $1,080,000.

1.0 PARKING MANAGEMENT

1.1 PARKING MANAGEMENT IN METROPOLITAN TORONTO

At its meeting on October 10 and 11, 1990, Metropolitan Council adopted the following motions referring to Parking Enforcement and Administration in Metropolitan Toronto and directed that:

(a) the Chief Administrative Officer and the Commissioner of Finance review all corporate revenue accounts, particularly Parking Tag Revenue and report to Council on any measures to increase revenue;

(b) the Transportation Committee, in conjunction with the Metropolitan Toronto Police Force and the Treasury Department, be requested to review all aspects of parking enforcement, and submit to Metropolitan Council recommendations on how to better serve the public in this regard;

(c) the Chief Administrative Officer be requested to report on the feasibility of moving the parking control activity from the domain of the Metropolitan Toronto Police Force to a municipal organization;

A sound parking management system is important to Metropolitan Toronto for a variety of reasons: economic, safety, and for the furtherance of general urban management goals. To be effective, a comprehensive parking management program should be integrated to include policy, regulation, enforcement and administration.

1.2 OBJECTIVES

The objectives of an integrated parking management system are as follows:

(1) Public safety - illegal parking creates hazards to motorists and pedestrians alike;

(2) Improve traffic flows, including transit - cost effective use of road space;

(3) Support urban management goals (transportation - related)

  (i) Quality of life - reduce congestion therefore improve air quality; reduce illegal residential parking;

  (ii) Mode shift - encourage use of transit by pricing policy; special attention to enforcement at bus stops; bus lanes; automobile parking restricted zones;

  (iii) Turnover - support parking meter turnover rates for benefit of abutting businesses;

  (iv) Special curb operations - truck loading/unloading, filming;

(4) Maximize financial return to municipality.

During the past several years a number of questions and issues have been raised by the members of Metropolitan Council on matters related to parking. To address these issues, a comprehensive parking review specifically related to the following seven components is needed:

(1) Supply of parking spaces;

(2) Fees/rates for parking;

(3) Enforcement of parking regulations;

(4) Fine(s) structure;

(5) Institutional/organizational;

(6) Tag processing and administration;

(7) Monitoring and evaluation of Parking Management program.

This review of the current organization of Parking Enforcement within the Police Force, the collection of monies due to Metro and the status of processing, conviction, and collection of Metro's unpaid tags by the Province of Ontario, will address the Enforcement of Parking Regulations and Tag Processing and Administration parts of the comprehensive parking review. It was conducted by the Chief Administrative Officer, the Metropolitan Treasurer, the Chief of Police, the Metropolitan Solicitor and the Commissioner of Transportation.

The Commissioner of Transportation will coordinate the review of the remaining five issues and his report to Transportation Committee outlining a process for this review was received for information at the Committee's meeting on June 13, 1991.

1.3 PARKING ENFORCEMENT AND ADMINISTRATION OBJECTIVES

For the purposes of preparing this report, the Objectives of Parking Enforcement and Administration are assumed to be as follows:

(1) Improve traffic and transit flow.
(2) Answer enforcement demand:
  - Liaison between Metro Police, Metro Toronto and area municipalities
  - Community involvement on parking issues
  - Permit parking
  - Overtime parking
(3) Collect monies due to Metro.

1.4 REGULATION, ENFORCEMENT, PROSECUTION AND COLLECTION

Determination of the specific appropriate use of roads and then passing the appropriate bylaws to give effect to the designated purposes, in this case improving traffic and transit flow, is a policy matter for Metropolitan Council and the Councils of the area municipalities. It is usually guided by the municipal plan for traffic management and transit development. With the passage of bylaws, each Council regulates use of the roadway during the specific time periods. Through the use of stopping, standing and parking regulations the nature of prohibited activity is defined.

The options available for enforcement are either to tag and/or tow offending vehicles. The current policy of the police is to tag and tow any vehicle found in contravention of the standing and stopping provisions of the Uniform Traffic Bylaw. Vehicles found in contravention of any of the parking sections are tagged. While vehicles committing parking offences may be towed, this is not usually done unless a serious obstruction is caused to transit or traffic flow. The objective behind towing is to remove the obstruction to traffic flow as quickly as possible.

An offender who has received a Parking Infraction Notice (PIN) can either pay or dispute the PIN and is entitled by law to request a trial. The officer who issues the PIN must attend court and give evidence. Prosecution of offenders in a consistent manner is necessary to ensure the bylaws remain valid and incorrect decisions are appealed.

The processing of tags and collection of the money due to the municipality is a function which must have legislative, judicial and operational support to ensure that Metro Toronto collects all fines due to the Corporation.

In Metropolitan Toronto, the municipality uses its resources to effectively process and collect the fines due from offenders for violations of parking by-laws. The cooperation of the Province is required to expedite processing of default cases (unpaid tags), collection after conviction and the operation of an effective plate denial process.

2.0 HISTORY

2.1 PRIOR TO 1980

Before the Municipality of Metropolitan Toronto was formed in 1953, parking tags were paid at local municipal offices and/or Police stations in 12 of the 13 municipalities. The exception was the City of Toronto, where tag payments were accepted at the Magistrates Court, 60 Queen Street West. The payment procedures of the City of Toronto were subsequently adopted throughout Metropolitan Toronto. The issuance of tags was consolidated with the formation of the Metropolitan Toronto Police Force in 1956.

When the Province of Ontario changed the court structure abolishing the Magistrates Courts, the payment and processing of parking tags at area court offices continued in Metropolitan Toronto. This service to the Municipality was unique in the Province of Ontario, since, the collection of parking tags function was handled by local municipalities in the rest of the Province.

The Police Force continued to issue tags, but Metro's involvement in the process was limited to keying of information from tags issued, data conversion for interface with different computer systems used by provincial bodies, and sorting and retrieval of tags for use by the Metropolitan Toronto Police Force and eventually the Provincial Courts. The revenue was received directly by Metro for pre-court payment of tags and funds forwarded to Metro from the Ministry of the Attorney General for payments received on Notices of Pending Summons and after conviction.

2.2 1980 TO 1988

In 1980, the Province of Ontario enacted the Provincial Offences Act which set forth the legal procedures to be followed in the enforcement and prosecution of minor offences. The Act was proclaimed in force on March 31, 1980, except for Part II pertaining to parking offences.

In 1982, a Notice of Pending Summons system was implemented to notify the offender that a parking tag remained unpaid and to increase the percentage of tags paid before a Summons was issued requiring the defendant to appear in Court.

In 1983, Metropolitan Toronto was informed that the Ministry of the Attorney General had been directed by the Management Board of Cabinet to discontinue providing the pre-court stage process for parking tags. Three alternatives were proposed to Metro Toronto:

(1) assume control of the entire parking tag process;

(2) engage an outside agency to conduct the operation; or

(3) reimburse the Ministry of the Attorney General for the administrative costs incurred in the collection and processing of parking tags.

Metropolitan Toronto Council chose the third alternative.

In 1987, the Province of Ontario proclaimed into force Part II of the Provincial Offences Act (POA II), which allowed municipalities to opt into the new legislation or continue to process parking tags under the Summary Convictions Act. POA II would simplify the procedure for the prosecution of parking infractions. Metro Toronto was encouraged not to opt into POA II until such time as Metro and the Ministry of the Attorney General had systems in place to handle the new process.

In 1987, the Ministry of the Attorney General advised Metropolitan Toronto that the Province would require the Metropolitan Corporation to assume the entire pre-court stage of the parking tag process. Specifically, Metro Toronto would be responsible for the processing of tags issued, receipt of payments, liaison with the Provincial Courts respecting queries and complaints from the public, and other general clerical and administrative duties.

Metro Toronto decided to centralize these functions in the Treasury Department and to phase in the transfer of these functions. The transfer began in 1987 and was completed in 1989, when POA II was implemented in Metro Toronto.

In 1987, Metro created a Parking Tag Operations unit in the Treasury Department and this unit assumed responsibility for data entry, processing payments (through the mail and at area municipality offices and the banks), and responding to complaints and enquiries for all tags issued.

During 1987, Metro Council determined that the fine levels were no longer a deterrent to illegal parking and that parking fines should be doubled to deter illegal parking. The change in fine levels became effective in October, 1988. In response to concerns raised by area municipalities regarding enforcement of local parking bylaws, Metro Council approved in December, 1987 the request of the Chief of Police to recruit 46 additional Parking Enforcement Officers.

2.3 1989 TO PRESENT

The Ministry of the Attorney General advised Metro Toronto in 1988 that it would withdraw its prosecutors from prosecuting all municipal parking tags and other by-law offences as of January 1, 1989 and a By-law Prosecution Section was created in the Legal Department to assume this function.

On September 1, 1989, with the expiration of the Summary Convictions Act, the Provincial Offences Act, Part II (POA II) came into effect in Metro Toronto. The Treasury Department, inconjunction with the Management Services Department, the Legal Department and the Metro Police, implemented a new computer system to process all parking tags issued under POA II.

In 1990, Metro reiterated its previous requests to the Province to allow area municipalities to recover fines for all offences where its employees initiated the enforcement process excepting for parking and traffic violations, and requested that the Metro Police establish a special municipal by-law enforcement unit, subject to the City dropping its opposition to the changes to the Municipality of Metropolitan Toronto Act ("the Metro Act").

In 1990, Metro Police implemented the 60 person Parking Enforcement Unit to respond to local concerns and assumed responsibility for tagging on rush hour routes. While the opposition of the City of Toronto to the changes to the Metro Act had not been resolved, the establishment of this unit was considered essential to resolve the original enforcement problem.

Volumes of tags issued had decreased with the implementation of POA II in 1989. Issuing of tags under POA II is more complex with the enforcement officer required to identify the relevant municipal by-law number and section, and the short form wording of the infraction. To stem the decline in issuance, the Treasury Department assumed responsibility for entering by-law numbers on Certificates of Parking Infraction before filing with the Courts.

In 1990, TTC inspectors were appointed Municipal Law Enforcement Officers to enforce no stopping, standing and parking restrictions at transit stops throughout Metro Toronto.

2.4 SHARING OF FINE REVENUE WITH AREA MUNICIPALITIES

In 1984, Metropolitan Council requested that the Province of Ontario amend section 186 of the Municipality of Metropolitan Toronto Act to provide that fines imposed for contravention of non-building code area municipal by-laws, other than parking and traffic by-laws, where the area municipality's employees initiated the enforcement process would belong to the respective area municipality.

The request for this legislative amendment was based on the principle that revenue generated by the imposition of fines or penalties for the contravention of municipal by-laws should be allocated to either the area municipality or the Metropolitan Corporation whichever incurred the costs of enforcing those by-laws. Fines for breaches of parking and traffic by-laws were specifically excluded from this request for an amendment to section 186 of the Metro Act not only because of the very substantial costs incurred by the Metropolitan Corporation for the enforcement of municipal parking and traffic by-laws, but also because of policy reasons, as discussed below.

As of late 1986, no action had been taken by the provincial Government to enact the legislative amendment requested. Consequently, the Metropolitan Council, at its meeting held on December 9, 1986 by its adoption of Clause No. 4 of Report No. 8 of The Legislation and Licensing Committee, entitled "Outstanding Requests for Provincial Legislation", decided to reiterate its request.

On January 4, 1988, the Honourable John Eakins, then Minister of Municipal Affairs, in a letter to the Metropolitan Chairman, indicated that Mayor Arthur Eggleton of the City of Toronto had requested the Provincial Government to delay re-introduction of Bill 209 until after February 1, 1988, in order that the City of Toronto could complete its review of all aspects of parking enforcement within the City and to submit any relevant comments to him on the proposed amendment to section 186.

With respect to the issue of the area municipalities assuming partial responsibility for the tagging of vehicles parked illegally on residential streets, the Chief of Police submitted a report to the then Metropolitan Board of Commissioners of Police which recommended against the six area municipalities assuming full or partial responsibility for enforcing parking violations on residential streets. The Board of Commissioners of Police adopted this recommendation of the Chief of Police at its meeting held on March 27, 1986, and forwarded same to the Transportation Committee for its information.

The major concerns of the Metropolitan Toronto Police Force, in recommending to the Board that this enforcement responsibility not be assumed by the area municipalities, were to ensure that the same standards for enforcement were maintained throughout the Metropolitan Area. In particular, uniform standards were considered desirable:

(a) to maintain uniform criteria for enforcement, supervision and training of parking control officers;

(b) to centralize liaison with the Provincial Courts;

(c) to retain a single agency to receive and respond to public complaints; and

(d) to maintain uniformity in the design and format of parking tags.

The Chief of Police also expressed concern that if seven municipal authorities were responsible for enforcing parking violations the result could be a compromise in the objective of achieving a uniform and consistent enforcement of parking violations, leading to a complicated process to adminsiter the parking tag enforcement system as well as inefficiencies and additional costs in delivering this service to the public.

In addition, at the time of that report, certain municipalities had taken the position that they did not support area municipalities assuming partial responsibility for parking enforcement on residential streets.

Consequently, the report recommended that the assumption by area municipalities of partial responsibility for tagging of vehicles parked illegally on residential streets not be pursued.

Only the City of Toronto Council has endorsed local responsibility for the tagging of vehicles parked illegally on residential streets. In addition, the Toronto City Council has unilaterally taken the position that it wishes to discuss the assumption of responsibility for enforcing parking and traffic by-laws on highways under the jurisdiction of the Municipality of Metropolitan Toronto, if section 186 of the Metro Act is amended to specify that all fines and penalties collected for traffic and parking violations occurring on City or Metropolitan roads within the City of Toronto belong to the City.

It is pointed out that the Metropolitan Council at its meeting held on December 8, 1987, by its adoption of Clause No. 1 of Report No. 33 of the Metropolitan Executive Committee, entitled "Parking Control Officers" recommended that the Board of Commissioners of Police be requested to hire 46 additional Parking Control Officers to correct traffic problems and parking abuses on Metropolitan Toronto Streets. This decision involved an estimated expenditure of $1,380,000. Subsequently, the Board, in fact, hired these additional Parking Control Officers.

If the Metropolitan Council were to concur in the request of the City of Toronto Council, the result would be the existence of at least two jurisdictions issuing parking tag and collecting fines in the metropolitan area. It would also involve the establishment of a principle that any other area municipality could take similar action, leading potentially to the establishment of seven enforcement agencies operating in the metropolitan area, all enforcing identical legislation and performing identical functions, but each one accountable to a different political body. This would inevitably lead to needless duplication of work, overlapping and confusion of roles, and wasteful expenditure of money and staff time, resulting in adminstrative chaos.

The public would be confused as to where to file complaints or to make general enquiries to make tag payments.

Standard training is currently provided by the Police Force for all Parking Enforcement Officers. Training standards could well vary between the City of Toronto and the Police Force resulting in potentially inconsistent enforcement practices within the City with respect to illegal parking.

Whereas Parking Enforcement Officers are governed by uniform enforcement guidelines issued by the Chief of Police, supervision of parking by-law enforcement personnel in the City of Toronto or elsewhere, will vary depending on the standards established by that municipality.

In 1988, the City of Toronto Council requested that the Province amend the Municipality of Metro Toronto Act to direct that all fines and penalties for traffic and parking violations occurring on all streets within the City of Toronto belong to the City, and that the City assume responsibility for all parking and traffic by-law enforcement within the City, including administration of processing and that the City Solicitor assume responsibility for prosecution of all parking and traffic violations occurring within the City.

In 1989, Metropolitan Council at its meeting held on May 10, 1989, by its adoption of Clause No. 5 of Report No. 7 of the Transportation Committee approved the following recommendations:

(1) the Metropolitan Council reaffirm and reiterate its previous request to the Province of Ontario to amend section 186 of the Municipality of Metropolitan Toronto Act ("the Metro Act") to provide that fines imposed for contraventions of non-Building Code area municipality by-laws, other than parking and traffic by-laws, belong to the respective area municipalities when they initiate a prosecution under the Provincial Offences Act;

(2) the Minister of Municipal Affairs be informed that the Metropolitan Council opposes the request of City of Toronto Council to amend section 186 of the Metro Act to allocate fines and penalties imposed for contravention of City of Toronto traffic or parking by-laws to the City of Toronto;

(3) the Metropolitan Corporation and the Metropolitan Toronto Police Force continue to be responsible for the enforcement and prosecution of all parking and traffic by-law offences within the metropolitan area on both Metropolitan and local roads, and that staff be instructed and authorized to take all steps necessary to give effect thereto.

The City of Toronto again requested the Province (the new government) in November 1990 to amend the Metro Toronto Act to direct that all fines and penalties for traffic and parking violations occurring on all streets within the City of Toronto belong to the City.

In a letter dated June 20, 1991 to the Metropolitan Chairman, the Minister of Municipal Affairs, the Honourable Dave Cooke, says,

"As you are aware, the allocation of non-Building Code fine and penalty revenue between Metropolitan Toronto and the area municipalities has been the subject of debate for some time. Moreover, there ar a number of different views on the appropriate disposition of revenue from parking and traffic infractions.

"After careful consideration, I have decided to bring forward a recommendation to my cabinet colleagues that the Municipality of Metropolitan Toronto Act be amended so that all fines for contraventions of non-Building Code area municipal by-laws, other than those for parking and traffic violations, belong to the respective area municipalities when they initiate a prosecution.

"I believe that this direction is appropriate because it generally allocates fines to the municipality whose by-law has been contravened. However, because Metropolitan Toronto and its police force continue to be responsible for the enforcement of area parking and traffic by-laws, I think it is also appropriate that the fine revenue from such remains with the Corporation."

These amendments will bring to a close this long-standing issue between Metropolitan Toronto and the City of Toronto.

3.0 LEGISLATION AND BY-LAWS

3.1 PROVINCIAL OFFENCES ACT, PART II - OVERVIEW OF POA II

Part II of the Provincial Offences Act (POA II) sets forth the legal procedures for the enforcement of municipal parking by-laws. The legislation was introduced in 1987 as it was felt that the former system of summonsing people to court and employing warrants of committal to enforce penalties was inappropriate given the relatively minor nature of parking by-law offences. POA II is modelled after Part I of the Provincial Offences Act, which sets forth the legal procedures to be followed in the enforcement and prosecution of minor regulatory non-parking offences under provincial statutes, such as the Highway Traffic Act. Under POA II, a defendant can request a trial upon the receipt of the ticket or pay the fine. Fine amounts are set by the Court to ensure that the penalty is appropriate for the nature of the offence.

POA II is based on the plate to owner system of vehicle registration. Under this system, a vehicle owner is responsible in law for parking offences whenever the licence plate assigned to that owner is attached to a vehicle that is parked illegally.

The POA II legislation has many advantages over the Summary Convictions Act and was intended to simplify processing and prosecution of parking infractions. However, many problems have emerged that require attention.

3.2 DROVE AWAYS

The Parking Infraction Notice (PIN) must be affixed to the vehicle. Enforcement is difficult in no standing and no stopping zones when a vehicle leaves ("drove aways") before the PIN can be completed and placed on the vehicle. Recent statistics from the Police Force indicate that there are approximately 2,000 offences per week which are not pursued. These infractions can be pursued, but using a procedure under Part III of the legislation which requires serving a summons on offending owners. As a result, no action is currently taken on these offences.

It is proposed that amendments be made to the Provincial Offences Act including a change to allow service of a "drove away" tag, by substitute service by mail, to the vehicle owner's registered address.

It is therefore recommended that:

(4) Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:

  (b) permit substituted service for "drove away" offenders by the mailing of the Parking Infraction Notice or other appropriate notification to the vehicle owner's registered address;

3.3 CORRECTION OF ERRORS

Human error will always occur in the issuance of parking tickets. Accordingly, there is a procedure which allows for the reopening of the case, whereby the conviction is set aside, and a trial date is to be set. If a conviction is in error, the conviction may also be appealed. Quality Control procedures currently in place in Metro's operations have reduced this error rate to less than 1/2 of 1% of all tags issued. At the pre-court stages of the process, errors are handled through review and withdrawal by the Police Force. Improvements to procedures are being continually introduced to reduce the error rate and increase service to the public. A further review of all default cases filed with the courts is made by a Justice of the Peace prior to rendering a conviction.

While procedures are in place under the legislation to re-open or appeal, these procedures are complicated and onerous requiring considerable time and effort by the defendant and court staff to correct those errors that are not detected by PTO or the Justice of the Peace.

Metro Toronto currently files parking tags in five area courts within Metropolitan Toronto. These five courts all administer a similar conviction and enforcement process and the duplication of systems and staffing at the Courts results in inconsistent administration and increased difficulty in managing errors and exceptions.

It is proposed that changes be made to the Provincial Offences Act aimed at reducing the flow of tags with errors into the trial system. Amendments to Section 20 of the Act could include a prosecutorial right of reopening a default conviction for notices found to be in error thereby avoiding the inconvenience for a defendant becoming involved in the court system. This may also require an amendment to Section 19 of the Act.

As well, it is proposed to add sections to Part II of the Act which would provide for the same plea of "guilty with an explanation" as is available for Part I offences under Section 7, and also for a written dispute mechanism (without appearance) as is available under Section 6, where Regulations prescribe, for Part I matters. These changes would have the advantage of removing more cases from the already overburdened trial docket.

It is therefore recommended that:

(4) Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:

  (c) include a prosecutorial right of reopening default convictions which are found to be in error;

  (d) provide for a plea of "guilty with an explanation" similar to that available for Part I offences;

  (e) provide for a written dispute mechanism similar to that available for Part I matters;

These issues are further discussed in Section 7.4, Municipal Tribunals.

3.4 COURT FILING DEADLINES

Municipalities are required to file default cases (unpaid tags) and Requests for Trial with the Courts within 45 days of issue. The introduction of a Notice of Intent to File (similar to the Notice of Pending Summons under the SCA) would assist in correcting errors before filing with the Courts and provide an additional incentive for the public to pay tags before conviction. However, the 45 day time frame does not allow enough time for Metro to process a Notice, accept payments, correct errors of issue and still file unpaid tags and Requests for Trial with the Court within the legislated time frame.

It is proposed that Section 16 of the Provincial Offences Act be amended to extend the time for filing to 75 days thereby providing sufficient time for the municipality to mail and receive responses to a Notice of Intent to File document, if so required.

It is therefore recommended that:

(4) Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:

(e) extend the time for filing fail to respond and requests for trial documents to 75 days from the date of issuance of the Parking Infraction Notice;

3.5 JUDICIAL REVIEW OF DEFAULT CASES (UNPAID TAGS)

Two separate reviews of default cases (unpaid tags) are required under POA II. A Justice of the Peace reviews unpaid CPI's and, if satisfied with the correctness, enters a conviction on the tag. Provincial Court staff issue a Notice of Fine and Due Date and collect payments. Before a tag can be processed to plate denial, the convictions (fail to responds) which have not been paid are again presented to a Justice of the Peace to approve that the enforcement provisions of the legislation ("plate denial") can be undertaken for that tag. This second review provides a minimal additional check in the system and adds considerably to the overall processing time within the Courts.

It is therefore recommended that:

(4) Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:

(f) permit a Justice of the Peace to register a conviction and to order enforcement for plate denial concurrently;

3.6 MUNICIPAL BY-LAWS

By-laws enacted by Metro Toronto and the area municipalities contain inconsistencies and minor variations in provisions which inhibit enforcement.

Similar infractions contained in by-laws of the municipalities have variances in description and set fine amount. For example, the provision for enforcement of handicap parking infractions:

		Fine Amounts	
Municipality	Description	Voluntary	Set
Etobicoke	Park-Designated Handicap Space	$ 50.00	$ 75.00
East York	Park unauthorized vehicle in designated parking space	50.00	75.00
Metro	Not applicable	N/A	N/A
North York	Park unauthorized vehicle is designated parking space	50.00	75.00
Scarborough	Park unauthorized vehicle in designated parking area	50.00	75.00
Toronto	Park unauthorized vehicle in handicapped space	100.00	150.00

York	Park unauthorized vehicle in designated parking space	100.00	150.00

For other infractions, although the descriptions are the same, the set fines are different. One infraction occurring within the City of Toronto (By-law 229-67, Section 1 - Stand Vehicle Unattended), does not have a voluntary or set fine amount. Some infractions in some by-laws are unique to one street or block. The majority of these items are found within City of Toronto by-laws but other municipalities also have a few occurrences of infractions without voluntary fine amounts. It is difficult for enforcement staff to enforce by-laws with missing fine amounts and a lack of consistency in describing infractions.

In addition, six municipalities use the system of enacting by-laws to control parking. However, the City of Etobicoke has opted to use a Municipal Code. This increases the level of complexity in the identification of specific offences since the by-law and Municipal Code references are different.

The six area municipalities and Metro Toronto have enacted by-laws (municipal code in Etobicoke) covering 170 infractions. Of these, 49 percent are unique to one municipality, 16 percent are common to 2 or more municipalities and only 35 percent are common to all 7 municipalities.

Twenty or less infractions within each municipality account for over 99 percent of all infractions that are filed with the courts. The 17 most common infractions are printed on the Parking Infraction Notice (PIN) and Certificate of Parking Infraction (CPI).

The Ministry of the Attorney General ICON computer system requires a 30 character short form description of infractions which are printed on the various notices, reports and lists associated with processing cases within the courts. These descriptions have been provided by the area municipalities. A majority of infraction descriptions exceed 30 characters and so cannot be used verbatim. Abbreviations have been used where possible but do not always describe the infraction properly. Some descriptions are so long that only the first 30 characters are included in the abbreviated description field. This is very confusing to the public.

A number of infraction descriptions provided by the municipalities cover more than one infraction which does not make the description unique for the Court ICON computer system. The impact on convictions of not properly identifying specifically the time/or day for infractions having (times/days) is not known. "Park/Stop" is also used in many infractions, which again creates confusion with the public and with the courts.

It is therefore recommended that:

(9) the Commissioner of Transportation, in consultation with the Metropolitan Toronto Technical Traffic Committee, the Metropolitan Solicitor and area municipality Solicitors, report on a process to review municipal parking and traffic by-laws in order to make recommendations to consolidate and simplify those by-laws where possible.

4.0 ENFORCEMENT

4.1 HOW PARKING ENFORCEMENT IS MANAGED NOW

Parking enforcement in Metropolitan Toronto is operating on a decentralized basis with 22 centres of policy making (17 Divisions, 5 Traffic Units) within the Police Force. Additional direction and policy is made at Corporate Planning, the Summons Bureau and all five District Headquarters. Policy may differ from one side of the street to another as divisional boundaries change. From the point of view of implementing change, it is cumbersome. Consequently, reacting to the issues facing Metropolitan Toronto and area municipalities often seems slow and disjointed.

Parking enforcement was essentially civilianized in 1970 through the addition of Parking Control Officers (PCO's) to the complement of the Metropolitan Toronto Police Force. The original PCO was known as the "Green Hornet" because of the khaki and green uniform they wore. The name and uniform have both changed and the Green Hornet is now dressed in a dark blue uniform with bright blue detailing and a blue shirt. Now known as Parking Enforcement Officers (PEO's), their number has risen to 193 and they are assigned to all of the 17 divisions of the Force.

Each Division also has a contingent of Constables who issue PINs and have the authority to cause vehicles to be impounded for municipal bylaw offences. While all constables may issue tags and tow vehicles, only a minimal number engage in regular parking enforcement as calls for service relating to parking are low priority.

A contingent of cadets are assigned to traffic units to assist with parking enforcement. This takes the form of private property complaints and rush hour tagging in North, East and West Traffic. At Traffic Support Services, a large contingent of cadets - ranging in number from 20 to 50 depending on availability - are assigned to the downtown tow-away zone. The majority of vehicles impounded in Metropolitan Toronto for violations are in No. 1 and No. 5 Districts. To more effectively manage in the Central Area, Central Traffic Cadets were transferred to Traffic Support Services on February 18, 1991.

Constables in Traffic Units are also issuing tags for offences when they have the time. Their main responsibility is to respond to calls for traffic related service and to enforce the laws of the road as they impact the safety of the public. Tagging is a low priority in comparison to the need to enforce more pressing public safety needs.

4.2 SPECIAL PARKING ENFORCEMENT UNIT - TRAFFIC SUPPORT SERVICES

A new group of Parking Enforcement Officers was created in 1990 and assigned to Traffic Support Services. The members of this unit were trained and supervised by Senior Parking Enforcement Officers supported by police managers and senior supervisors. They were given the added responsibility of towing vehicles obstructing transit and main routes throughout Metropolitan Toronto. The Unit has successfully shown they are capable of added responsibility and can react in an effective manner to the demands of the public and municipal agencies and the Toronto Transit Commission. Based upon this model and an assessment of its success, this report recommends consolidation of all parking enforcement under the direction of Traffic Operations where all PEO's will be trained and enabled to tow vehicles offending against the bylaws in those instances where obstruction to transit or traffic flow require it.

In 1988, parking enforcement officers, constables, special constables and cadets issued approximately 3,365,000 parking tags. During 1989 a significant decline in the number of tags issued occurred, caused primarily by the increased complexity of completing the parking infraction notice under POA II. Significant increases were noted in 1990 following the implementation of a parking enforcement function within Traffic Support Services. At the end of August, 1990, the projected level of issues for the full year was 2,993,000 for 1990. Traffic Support Services was fully staffed in mid-September, 1990. In 1990 at year end, 3,131,000 parking infraction notices had been issued.

On February 18, 1991, the Cadets assigned to Central Traffic and personnel of the Municipal Law Enforcement Office assigned to the Summons Bureau were transferred to Traffic Support Services. The result is, approximately one half of all Parking Infraction Notices are issued under the direct control of one decision and policy making unit. Initiatives are being taken to begin removing the response to parking complaints from the Police calls for service load and transferring them to Traffic Support Services for dispatch to cadets and parking enforcement officers.

An examination of the success of Traffic Support Services has identified the following:

1. PEOs in the Unit are given training and encouragement in their tasks by civilian supervisors, training constables and senior Police managers whose sole responsibility is to parking enforcement.
2. PEOs in this Unit, unlike other PEOs, are authorized to impound vehicles.
3. These PEOs work in a facility where the only tasks performed relate to parking management and freeing the flow of traffic. They are not expected to do tasks unrelated to their function.
4. There is consistency in policy and enforcement practices.

The Force relies on the efforts of civilian personnel to enforce parking regulations. Based on a recent sampling, it is estimated that approximately 8% of Parking Infraction Notices (PIN) are issued by Police Constables, 70% are issued by Parking Enforcement officers, 12% are issued by Cadets and a further 10% are issued by Municipal Law Enforcement Officers. It is interesting to note, the majority of PINs issued by constables are as the result of complaints and radio calls. Over 85,000 such complaints are received and responded to every year. The figures available from the Communications Bureau indicate a significant positive impact would be achieved in relation to calls for service demands made of the Force if traffic related bylaws were enforced by civilian personnel.

A contingent of Parking Enforcement Officers - Towing has been assigned to Traffic Support Services with a Metropolitan Toronto scope and the mandate to assist the flow of transit and traffic through enforcement and impounding vehicles from no standing and no stopping areas as necessary. There are 50 Parking Enforcement Officers, 6 Supervisors and uniform Police support staff in addition to the Cadet Training Program.

The Municipal Law Enforcement Office trains and supervises approximately 900 contract municipal law enforcement officers who have the authority to tag vehicles on private properties throughout Metro Toronto. They are hired and paid by the owners of various private properties. The tags they issue are processed through the same methods as police tags. Notifications for the MLEOs to attend court are processed through the MLE office. The complaints which result from their work are handled by the Municipal Law Enforcement office. Again, to maximize use of support personnel and manage parking enforcement from a more 'global' perspective, the personnel and responsibilities of the Municipal Law Enforcement Office were transferred to Traffic Support Services on February 18, 1991.

The Complaints Section of the Summons Bureau processes all withdrawals and complaints from the public about the issuance of particular parking infraction notices. They have a staff of police and civilian personnel who process both the complaints and the requests for withdrawal. The complaints are forwarded to various units for response and then coordinated through the system to ensure they are handled properly. This section also deals with the processes involved in management of Provincial Offences Tickets for moving and other violations. A Traffic Support Services investigator has been assigned to Parking Tag Operations to assist in processing written and personal complaints at the source. This approach has reduced the number of complaints being forwarded for a cumbersome investigation through the Summons Bureau.

4.3 ENFORCEMENT PRACTICES IN OTHER CITIES

The City of Vancouver transferred enforcement of parking bylaws from the police to the Traffic Engineering Department approximately fifteen years ago. The enforcement unit employs 65 persons who issue 420,000 parking tags annually. The practice for towing vehicles found in no stopping and no standing areas differs from Metropolitan Toronto in that the officer marks the tag to authorize towing. Towing companies, under contract to the municipality, impound the vehicles. The Traffic Engineering Department advise they keep no record of the impounds and have no idea how many are impounded. The fee for the service, set by the municipality is $15.50 (plus GST) and $4.50 per day storage. Approximately two years ago, a contractor attempted to enforce private property parking regulation by utilizing the "boot" (a device which, if locked over the wheels, prevents removal of the vehicle). This practice was immediately made illegal by the City of Vancouver. In Ontario, there is no legislation clearly authorizing the use of a so-called "Denver Boot".

Discussions with staff of the City of New York Transportation Department indicate they operate a tag and tow program with emphasis on the Manhattan (downtown) area. The enforcement officer drives a tow truck and will tag and tow any vehicle found in contravention of the bylaws. The bylaws allow exemptions **only** for law enforcement vehicles in no stopping and no standing zones and, additionally, disabled persons in no parking zones. The enforcement officers on tow trucks impound no more than five vehicles a day. In the Manhattan area, between 400 and 500 vehicles are impounded daily for bylaw and "scofflaw" enforcement. Scofflaws are people who have a large number of unpaid parking tags registered against them. Additionally, there are ten other pounds in the outlying boroughs, mainly for scofflaw enforcement.

New York City Traffic Police advise that until approximately fifteen years ago they managed parking enforcement using only police personnel. This proved to be costly and was later transferred to the Transportation Department. Private contractors were used on a trial basis approximately ten years ago for the impounding of vehicles. This program led to abuses which forced the City to hire its own drivers and buy tow trucks. Vehicles can only be towed by trucks staffed with enforcement officers. The main reason behind this was that the number of vehicles stolen in New York every year is in excess of 50,000 and many of them are stolen using tow trucks. Allowing tow trucks to remove vehicles at will eliminated the benefits of public awareness and the type of cooperation common in Neighbourhood Watch programs. People stopped calling the police when cars were towed without obvious authority.

The experience in Metropolitan Toronto is somewhat different with the towing industry. Through the assignment of police personnel to work within the pounds to ensure the legality of every vehicle impounded and to ensure vehicles are properly disposed of within the existing legislation, very few instances of abuse have been identified. Contractors are fully aware that investigations are conducted on a routine basis and criminal charges will be laid and prosecuted if warranted. Because of the way in which it is managed in Metropolitan Toronto, the average tow truck driver will impound six to eight vehicles in the three hours of the afternoon rush hour period. Individual parking enforcement officers and cadets have ordered as many as thirty-six vehicles impounded during the same period of time, depending on the area and number of offenders. In Traffic Support Services, an average of 450 standing and stopping offences are enforced daily by issuing parking tags. An average of 200 cars are impounded every weekday by cadets and parking enforcement officers in the Unit.

Parking enforcement is now a civilian activity with some private property enforcement by outside agencies. Approximately 8% of tags are issued by police officers and this will be reduced substantially as radio calls for parking complaints are transferred to the parking enforcement unit. With adoption and implementation of the proposals in this report, as the service provided by police officers can be replaced by parking enforcement personnel, the police officers will be actively discouraged from writing parking tags. This will assist in reducing the requirement for police court attendance on relatively minor matters. Police officers in the parking enforcement unit are assigned to support cadets and parking enforcement officers through training, management and investigations. As the level of expertise within the ranks of the parking enforcement group increases, police officers will be replaced with civilian personnel. This process is expected to take five years. At that point it will be a totally civilian operation up to the unit command level.

4.4 PARKING AND TRAFFIC MOVEMENT ISSUES

Throughout the Metropolitan Toronto Police Services Board environmental scan process and in other public opinion surveys taken in recent months in Metropolitan Toronto, the theme of efficient, effective flow of transit and other vehicles has been identified as a constant concern for its residents. The current woes of the Toronto Transit Commission with declining ridership have, rightly or wrongly, been blamed in part on traffic congestion. The other constant has been the problems associated with vehicles improperly or illegally parking on private property and in neighbourhoods. Illegal parking has a definite, detrimental effect on the flow of traffic, be it commercial traffic, pleasure traffic or transit vehicles. Parking problems tend to coincide with peak activity periods, when police officers are required to respond to serious or life threatening situations. Being able to deal with this issue effectively requires determination and support systems to be in place. A first step has been taken with the amalgamation of the former Central Traffic Cadet program and the Municipal Law Enforcement Office function in Traffic Support Services.

4.5 IMPACT ON COMMUNITY POLICING

The community policing policy of the Metropolitan Toronto Police Services Board places emphasis on consultation with the public in matters of delivery of policing services. Policies should be implemented consistently and fairly across all of Metro and at the same time reflect the local community. In terms of consultation, the Force has not developed the wide-ranging expertise in matters of parking which will allow meaningful discussions with authorities and staff in the municipalities. Because all 17 divisions and 5 traffic units attend regular meetings with various sectors of the Metropolitan Toronto Community and parking is inevitably discussed, confusion and conflicts arise. This impacts the public, the police, politicians and staff from other parts of government in a negative way as each tries to be sensitive to community needs.

Community consultation is essential for the development of standard operating procedures and policy. Through the network of community advisory groups established in the communities of Metropolitan Toronto by the Police Force, Traffic Support Services will be able to address community concern about parking management.

4.6 CADET TRAINING

The program for cadets, who are in effect "police officers in training", includes exposure to and experience in many areas of the police operation. Most of these are public relations oriented and non-threatening. The use of cadets in Parking Enforcement not only provides additional personnel, it is a valuable source of training in stress situations and confrontations. To properly assess their potential as Police officers, prior to committing training and development resources, the opportunity to place cadets in reasonably safe but challenging situations is offered through parking enforcement. Consequently, they are assigned to Traffic Support Services where they are detailed for a period of 6 to 10 months enforcing the "tow-away" and rush hour zones. During this period of time they are closely supervised and assessed for their potential as Police Officers. The training in issuing parking infraction notices is of secondary importance to the primary goal of providing an excellent environment for assessment.

5.0 PARKING TAG OPERATIONS

5.1 ESTABLISHMENT OF PARKING TAG OPERATIONS UNIT

The Parking Tag Operations unit (PTO) was created in the Treasury Department in 1987. On December 7, 1987, PTO took over the administrative processes being carried out by the Ministry of the Attorney General including collection and processing of tag payments, control and coordination of banking procedures, and handling of complaints and enquiries from the public. PTO also assumed responsibility for keying of information from unpaid tags from an outside agency under contract to the Ministry and staff were transferred from the Management Services Department to complete the data entry function.

As a result of the complexities of the process being assumed from the Province and the workload increases resulting from the increased parking enforcement within the Police Force, PTO was expanded and moved to 60 Richmond Street East in 1988.

The building is shared with the Prosecutors Office and the Bail and Parole Reporting Centre. The building is old and requires a considerable amount of work to bring up to an acceptable standard to serve the public. There are continued problems with the heating and air conditioning and water leaks through the roof. There is no facilities to accommodate disabled persons access as there are only stairs to access the second floor. Receiving and delivery of materials and supplies is restricted as there are no receiving or delivery bays or elevators. Many deliveries are just dropped off at the door which means that staff have to carry supplies upstairs. Short term parking facilities are limited. The public has no place to park while they come to pay their tags, request a trial or inquire about a tag they received.

In 1989, to meet the implementation schedule of POA II, PTO replaced the mainframe system which was over 15 years old with a new computer tag processing system resident on an IBM AS400 minicomputer. The new system, Tag and Accounts Receivable Tracking System, tracks all tags from issuance through to disposition by the Ontario Court - Provincial Division.

5.2 TAG PROCESSING - CURRENT OPERATION

PTO is currently responsible for:

(a) processing tags issued;

(b) processing payments received through the mail, banks, area municipalities, and at the counter;

(c) responding to inquiries and complaints from the public received by mail, phone or over the counter;

(d) processing Requests for Trial received from the public and forwarding the Request together with the CPI to the Court;

(e) obtaining the vehicle registration information from the Ministry of Transportation;

(f) collecting and matching all documents (CPI, Certificate of Registration, By-law Infraction Information), editing errors, and preparing documents for filing with the Court.

5.2.1 TAG ISSUING

The projected number of tags to be issued in 1991 is over 3,200,000. The PTO unit starts the processing cycle every working day for approximately 12,800 parking tags. A Parking Infraction Notice (the PIN - copy

1 of the tag) is affixed to a vehicle for a parking related offence by an enforcement officer and starts the 45-day process to filing tags with the court. Tags issued under POA II are required to be filed with the court within 45 days of the date of infraction. The issuing enforcement officer forwards the completed Certificate of Parking Infraction (the CPI - copy 2 of the tag) to Police Headquarters. These tags are brought to the PTO unit at 60 Richmond Street East every day by a Police courier and the processing cycle begins.

Tags are issued to enforcement officers in books of 25. When a book is issued, the cover of the book, completed with the officer's number and unit, is forwarded to PTO. Data Entry staff enter this information each day to ensure that each tag issued can be tracked.

5.2.2 COMPUTER CAPTURE OF TAGS

When the CPI's are received by PTO, it is the 2nd or 3rd day after issuance of the tag. The CPI's are processed by the Computer Operations group on a Unisys Document Handler. The document handler takes a microfilm image of all tags for a permanent record and also creates a computer file of all tag numbers. This is accomplished through the electronic reading of the MICR encoded tag number on the CPI. A Quality Control check is performed by the document handler to ensure that duplicate tag numbers are identified for further review. The CPI's are stored for further processing and the computer file of tag numbers is transferred to the main PTO computer which is an IBM AS400.

A person receiving a PIN can choose to exercise one of three options. The PIN can be paid within 7 days of the date of issuance at the Voluntary Payment level. Or, the PIN can be paid within 15 days of the date of issuance at the Set Fine level, as established at the request of the municipality by the Chief Judge of the Ontario Court - Provincial Division. Or, the person may request a trial by completing the required information on the reverse of the PIN and forward the PIN to PTO for processing.

5.2.3 PAYMENTS AND ENQUIRIES

Payments are accepted on tags (the PIN copy) from the date of infraction up until the day the tag (CPI) is filed with the court. Payments may be made by mail, at any chartered bank, at offices of the area municipalities, or at the PTO office counter. All payments made by mail or at a bank are processed through a central data processing centre of a chartered bank. This bank centre opens all mail destined for PTO, cashes and deposits all cheques and creates a computer file of payment amount and tag number for each payment. This computer file is transferred to PTO daily, together with the paid PINs and a summary total of all payments received.

The computer file is transferred to the PTO computer and updates the file of unpaid tags. The funds from tags paid are transferred to Metro Toronto's main bank account for investment and the paid tags (PINs) are stored for a period of time and then destroyed. The bank processing centre handles over 7,500 pieces of mail a day, processing between 6,500 and 7,000 payments, and forwarding the balance of the mail to PTO for further follow up.

Any mail received by the bank which cannot be processed as a payment is forwarded to PTO. This amounts to between 500 and 1,000 pieces daily. The Information and Enquiries section reviews all correspondence received from the public and prepares an appropriate response. Some payments are received too late to be processed, since the CPI has been filed with the court. Payments may be received with no identifying documentation and must be returned. Complaints of tags being issued incorrectly are given to the Police Force for investigation and follow up. In response to this daily mail inflow, Information and Enquiries issues between 700 and 1,000 reply letters each week.

Information and Enquiries also handles payments and complaints received at the PTO counter. PTO operates a counter operation to provide access to the public five days a week to pay tags directly and deal directly with the public. In addition, a direct access phone line allows the public to discuss the status of an outstanding tag with Information and Enquiries staff. Over 1,000 phone calls and over the counter enquiries are received on a weekly basis. A number of these calls are referred to PTO by the courts.

Various payments which are received by the bank cannot be processed. Tags which are damaged or destroyed and payments returned as NSF or account unknown are forwarded to PTO for follow up. The Finance and Administration section processes over 140 such items each day, preparing collection notices for NSF and account unknown items and identifying unpaid tags relating to payments received without tags.

5.2.4 REQUESTS FOR TRIAL

Requests for Trial (RFT) are received in the mail (the PIN copy) from the public through the bank, through a direct post office box for RFTs and over the counter. Each RFT must be entered into the computer system and the tags sorted into numerical order. They are then stored by the Court Filing section to be checked and matched with the unpaid tag (CPI) and Certificate of Ownership and forwarded to the court to set a trial date. Over 2,000 RFTs are processed each week.

5.2.5 DATA ENTRY OF TAG INFORMATION

On the 16th day after the issuance of the tag, PTO continues processing of the unpaid tags (CPI). Using the main PTO computer, Computer Operations staff create a file of all unpaid tags and transfer this file to the document handler. The document handler is then used to physically sort the CPI's into paid and unpaid tags.

The Data Entry section uses these unpaid tags (CPI's) to enter into the main computer the data required from each tag. This information includes the plate number of the vehicle, time and date of infraction, location of infraction, type of infraction and the officer's name and number and Unit number of the issuing officer. Over 7,000 tags are processed through data entry each day. The Data Entry section also performs a Quality Control check on all tags issued. Any tags which are illegible or are incomplete or have errors are eliminated from further processing.

5.2.6 POLICE WITHDRAWALS

The Police Force, both at the Summons Bureau, PTO office and at the Police Divisions throughout Metro, review any tags brought in by the public with complaints of errors found on the PIN. With the recent assignment of a Police Constable to PTO, the Police Force deals with the public directly and has reduced the number of tags requiring further investigation. If no error is found on the PIN, it is returned to the offender so that the options available can be exercised or if an error is found, the PIN is withdrawn from further process by the Police Force and forwarded to PTO. Senior Data Entry staff key the withdrawal of the tags into the computer system.

5.2.7 CERTIFICATE OF OWNERSHIP

A Certificate of Ownership must be obtained from the Ministry of Transportation (MTO) before the unpaid tags can be filed with the court. On the 17th day after issuance, a computer tape of all unpaid tags is prepared by Computer Operations staff using the information keyed from unpaid tags. This tape is delivered by the PTO courier to MTO operations. MTO processes the computer tape and produces a Certificate of Ownership for each of the unpaid tags. In addition, the name and address of the owner of the vehicle is added to the information already on the computer tape. As a Quality Control check, any plate numbers which cannot be matched by MTO or are identified as "plate unattached" to a vehicle are returned to PTO.

The revised computer tape is picked up by the PTO courier, together with the labels which have been produced by MTO. The information from MTO files (name and address of owner) are loaded into the PTO computer by Computer Operations staff on approximately Day 20 after issuance. Any tags relating to unmatched or plate unattached records received from MTO are not processed further.

However, the name and address information provided by MTO is not provided in a format which is acceptable to the court system. PTO Court Filing staff are required to edit every address provided to ensure that the computer file prepared for the court contains all information necessary to mail conviction notices to plate owners. This problem resulted in over 1,000 conviction notices per week being returned by the post office to the courts, until it was corrected by PTO staff.

From the 17th day to the 30th day after issuance of the tag, payments and requests for trial continue to be processed by PTO.

5.2.8 PROCESSING DEFAULT CASES (UNPAID TAGS) TO COURT

On the 30th day after date of issuance of the tag, a computer file is created by PTO and transferred from the main PTO computer to the document handler. Also, a summary list of all tags, called the Certificate Control List, which must be filed with the tags to the 5 court offices, is prepared. All CPI's for that date of issue are sorted into paid tags, unpaid tags and requests for trial. All unpaid tags and RFTs are sorted numerically by the document handler for filing with the court. The paid CPI's are stored for a period of time and destroyed. The unpaid CPI's and RFT's are forwarded to the Court Filing section for further processing. A computer tape is also created of the CPI's and RFT's which is required by the Ministry of the Attorney General to update the court computer system.

The Court Filing section prepares all CPI's and RFT's, approximately 7,000 each day, for filing with the 5 courts in Metro Toronto. For each unpaid CPI or RFT, the process is the following:

(a) the CPI, the RFT and the Certificate of Ownership received from MTO are matched and affixed to a Court Filing Document (Certificate of Non-Payment), which is a prescribed form of the Ministry of the Attorney General;

(b) each CPI is required to have the by-law reference of the alleged offence printed on the CPI or Court Filing Document. The bar coded tag number on the CPI is scanned using a computer wand to retrieve the by-law from the computer and a slip printer is used to print the by-law reference on the Court Filing Document;

(c) a Quality Control check is performed on each Court Filing Document to ensure the correct plate number appears on the CPI, RFT and Certificate of Ownership, and errors and incomplete CPIs and PINs and labels are removed from the process;

(d) these documents are matched to the Certificate Control Lists and batched for delivery and filing with the 5 court offices.

The Certificate Control Lists, together with the supporting Court Filing Documents, CPI's and RFT's, are delivered to the court offices by the PTO courier. Tags are filed with the court as close as possible to the 45th day after the date of issuance to allow the maximum time possible to accept payments and Trial Requests.

5.3 REVENUE PROJECTIONS

PTO is responsible for establishing the budget projections for parking tag revenue for the Metropolitan Corporation. This estimate takes into account the projected tags issues, the collection rate before filing with the court and the estimated conviction and collection rate from the court system.

With the implementation of the new computer system in 1989, collection of parking tags before filing with the court were approximately 54.9% of all tags issued. With the subsequent processing delays in the Court system for both unpaid tags and Requests for Trial, the payment rates have dropped to 51.2% in 1990 and current payment rates are 48.9% of tags issued.

For 1991, the revenue estimate of $42,500,000 includes an estimate of 48% of tags issued paid pre-court and 25% paid after conviction (as detailed in Schedule xxx).

5.4 SUMMARY

PTO is responsible for processing over 3,200,000 parking tags each year. PTO processes and files over 1,000,000 tags correctly and effectively within the legislated time limits to the court system. With a current operating budget for 1991 of $2,424,000, PTO processes Metro's parking tags efficiently at a cost of about 76 cents per issued tag.

PTO has demonstrated a proven ability to meet implementation deadlines and difficult production schedules. Staff at the Ministry of the Attorney General continually advised PTO staff that Metro must be ready to implement POA II on September 1, 1989. Metro's computer system to implement POA II was installed and software developed within budget and on time. However, the Ministry's own court system (ICON) was not ready for start-up on that date and, as outlined in Section 6, continues to have problems processing Metro's outstanding parking tags. However, further operational improvements could be realized.

The delays in obtaining convictions due to trial scheduling problems within the Court system and continuing delays in the processing of plate denials have created the public perception that the system does not work.

5.5 ISSUES

Errors in documents filed with the Court represents a continuing concern regardless of the relative small percentage of all tags issued. PTO responsibility for Quality Control procedures is to ensure that all tags filed with the Court have been reviewed and are complete and correct. This quality control is accomplished through the editing and review of documents by the Data Entry and Court Filing sections of PTO, together with the review and withdrawal of incorrect tags by the Police Force. These steps are complimented by a check by MTO and the Justice of the Peace review. Currently, Metro Toronto files over 1,000,000 unpaid tags with the court each year with an error rate of less than 1/2 of 1%.

Currently, PTO transfers computer tapes to MTO to obtain Certificates of Ownership and name and address information. These Certificates of Ownership are then affixed to the Court Filing Document and matched to the CPI. The current process of delivery and pick-up of computer tapes affixing of labels is both time consuming and inefficient. Current regulations prohibit a direct computer link from PTO to MTO to allow direct transfer of the name and address information. Current regulations also prescribe that the Certificate of Ownership be affixed to the Court Filing Document. If the Certificate of Ownership could be printed by PTO Computer Operations directly by laser printer on the Court Filing Document, the by-law reference information could be printed at the same time. This would improve the efficiency of both the MTO and PTO operations. In addition, over 600 Certificates of Ownership stickers are wasted each day as payments have been received on those tags since the Certificate was produced.

It is therefore recommended that:

(5) Metropolitan Council request the Province of Ontario to amend the Highway Traffic Act and any required Regulations governing the Vehicle Registration System to permit a direct municipal computer access to the Ministry of Transportation computer system on a "read-only" basis to obtain the information as provided on the Certificates of Ownership; and

(4) Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:

  (g) permit a computer printed image on the Court Filing Document of the Certificate of Ownership, as defined in Section 6 of the Highway Traffic Act, to be introduced as prima facie evidence of ownership for processing of parking tags;

PTO currently serves the public through its office at 60 Richmond Street East five days a week from 8:30 a.m. to 4:30 p.m. However, an increasing proportion of the public cannot attend at the offices during those times. The office is not accessible to persons with physical disabilities.

Metro Toronto should consider the possibility of moving PTO to a location more accessible to the public and to extend the hours of operation of the office to allow for attendance at the office by the public to pay tags or request information or make a complaint regarding a tag.

With declining rates of payment of tags being experienced by PTO, consideration should be given to expanding the methods of payment to include payment by credit card, both over the counter and by phone. These methods of payment are in use in other Canadian cities and may be useful in increasing the rates of payment.

6.0 DEFAULT PROCESSING

6.1 PROCESSING OF DEFAULT CASES (UNPAID TAGS)

Metro Toronto files between 5,000 to 7,000 outstanding default cases daily in the five Metro area Ontario Courts (Provincial Division). About 68% are filed at Old City Hall with the remainder spread roughly evenly amongst the York Court, Metro East (Scarborough) Court, Metro West (Etobicoke) Court and North York Court.

The unpaid CPI's and RFT's, together with a computer tape, are delivered by the PTO courier to each of the five courts. A copy of the Certificate Control List, the listing of default cases (unpaid tags), is receipted by court staff and retained by PTO. Under POA II default cases must be filed with the Court within 45 days of the date of infraction or the tags are not accepted by the Court. Metro Toronto's processes are designed to ensure that all default cases are filed within the time limits prescribed. Court staff review all Court Filing Documents to ensure that unpaid CPI's have been filed within the 45 day filing period prescribed by POA II and return any documents filed late to PTO.

The computer tape, which is delivered daily to update the Ministry of the Attorney General computer system (ICON). The ICON system was developed by the Ministry as a province wide system to process all POA offences. The unpaid CPIs become individual cases in ICON and are scheduled on a Fail to Respond court docket. The RFTs are scheduled through ICON to trial dates, and this process is detailed in Section 7.0.

6.1.1 FAIL TO RESPOND DOCKETS

Fail to Respond dockets and the Court Filing Documents relating to the docket are presented to Justices of the Peace (JP) for review. The Justice reviews each individual Court Filing Document and enters a conviction and assesses court costs or quashes the case. The completed dockets are returned to court staff for processing. At the present time, it is taking up to 4 months for Fail to Respond dockets to be prepared by court staff and reviewed by a JP.

Court staff enter the convictions and quashed cases into the ICON system from the completed dockets. ICON staff produce the conviction notice called the Notice of Fine and Due Date from this file and adds a $2.50 court cost to each tag. The Notice is mailed and the offender given 30 days to respond by paying the set fine plus court costs or applying to have the case reopened or appealing the conviction. The reopening and appeal procedures are complicated and an administrative appeal mechanism is required. Currently, some of the Notices of Fine and Due Date are being produced by the ICON system in such a fashion as they are received postmarked after the Due Date to respond.

6.1.2 COURT STAFF WORKLOAD

Court staff are responsible for receiving and responding to complaints, payments, applications for reopenings and appeals. Unfortunately, court staff time is not consistently dedicated to the parking tag process and, given the nature of the offence, these cases are not a high priority. The processing of payments received from Notices of Fine and Due Date is not automated and each payment received by a court office is processed manually for deposit and then the data entered into the ICON system. The handling of parking tag cases is decentralized among the five area courts and this results in a duplication of efforts to process them.

In Section 5, the problem of matching the format of the address file of the Ministry of Transportation computer system and the ICON system was discussed. The problem became apparent when court staff were receiving over 1,000 Notices of Fine and Due Date per week returned as undeliverable by Canada

Post. However, there were no court staff resources available to correct the problem and all of those cases were abandoned. (It was assumed by Ministry staff that the payment would be finally collected through the Plate Denial process.) The problem remained and was solved by PTO staff and now the file received from the Ministry of Transportation is edited at PTO to conform to the layout of the ICON system file.

6.2 DEFAULTED FINES CONTROL CENTRE

Tags which remain unpaid 60 days after conviction and the issuance of the Notice of Fine and Due Date are forwarded to a Justice of the Peace for approval of the enforcement provisions of plate denial. All enforced cases are input into the ICON computer and the information is transferred to the MAG Defaulted Fines Control Centre (DFCC). At this stage, an additional $10.00 default fee is added to the unpaid fine and court cost.

The DFCC issues a Statement of Account or a summary listing to the plate owner for all parking tags outstanding in the Province for each vehicle plate. The plate owner has 60 days to pay this Statement of Account. While preparation of the Statement of Account is consolidated, the processing of payments for outstanding cases within the Court system is not. Separate cheques are required to be mailed to each Ontario Court (Provincial Division) when a plate owner has outstanding tags in more than one municipality.

If the Statement of Account is not paid within 60 days, DFCC transfers the information to MTO to collect the fines through the renewal of the licence plate sticker process and enforce the plate denial provisions of the legislation.

6.3 SUMMARY

Metro Toronto has filed over 1,750,000 unpaid tags with the Court since September 1, 1989. In addition, Metro has filed over 120,000 Requests for Trial on behalf of the public in that time. The unpaid tags filed have a total set fine value of over $50,000,000 and when combined with the Requests for Trial a total set fine value of over $54,000,000 is outstanding.

To date, the Court system has returned to Metro only $12,900,000 in collected fines. Typically, it is expected conviction rates would be greater than 95%, confirmed by statistics provided by MAG, and indications are that over $27,000,000 in outstanding fines is due to Metro.

Statistics provided by MAG indicate that backlogs of tags not processed are occurring in the Court system, and while over 1,450,000 tags have convictions entered against them, only 45,900 have been forwarded to the Plate Denial process since September 1, 1989.

It is clear that the Ministry of the Attorney General has not met its obligations in processing default payments under the POA II legislation in any effective way. The volume of parking tags filed by Metro Toronto is overwhelming the court staff as well as the ICON system. The continued delays in obtaining convictions and subsequent plate denial within the Court system has increased the public perception that the system does not work. As well, the public awareness of the deficiencies in the Ministry's processing is having an adverse affect on pre-court collection rates.

The continued delays in obtaining convictions and subsequent plate denial within the Court system has increased the public perception that the system does not work.

7.0 TRIALS / PROSECUTION

7.1 TRIALS SCHEDULING

Under the POA II legislation, trials are only scheduled for unpaid parking tags if a Request for Trial is received before the CPI is filed with the court. PTO has received and filed over 120,000 RFTs since September, 1989. While originally occurring in 1989 at a rate of 1.4% of all tags issued, the RFTs have increased to a rate of 3.3% of all tags issued in 1991, or over 500 per day. This is as a result of the increasing public perception that cases will be adjourned due to lengthy delays in scheduling trials. Current trends would indicate that over 100,000 RFTs will be filed for 1991.

All RFTs are scheduled for trials by the Ministry's ICON computer system. While this system schedules trial requests into available courtrooms at the earliest possible date, it does not efficiently schedule trials from the perspective of attendance of the enforcement officer in court. Officer availability is one factor taken into account by ICON during the scheduling process, but officer availability may be overridden by courtroom availability. Also, ICON does not try to consolidate all RFTs for an enforcement officer in one courtroom appearance. Enforcement officers are currently being scheduled for court attendance as often as 3 or 4 times a week. This is becoming more common as more trial requests are received and are being scheduled further and further into the future.

7.1.1 COURTROOM AVAILABILITY

At the present time, courtroom availability for RFTs received for trials in day court appear to be adequate. However, night court requests are currently received at a ratio of 8 to 1 over day court requests. This has contributed to lengthy delays in scheduling night court trials, in some cases up to 15 months into the future. There is considerable concern that these cases will be dismissed at trial because of the lengthy delays using the precedent of the Askov ruling of the Supreme Court of Canada. This problem is further compounded by the decisions of the Judiciary to "stay" or "adjourn" the cases where the defendant does not show up for trial, instead of convicting the defendant "ex parte". There is increased public perception that cases will be adjourned, dismissed or quashed due to delays or absence of the issuing enforcement officer and this has resulted in a corresponding increase in the number or RFTs received.

7.1.2 POLICE OVERTIME

There is increasing concern that excessive Police overtime is resulting from the court scheduling algorithms of the MAG ICON computer system. ICON seeks to maximize court room usage but does not consider the efficient use of officer time as an objective an example is that the period over which an officer is scheduled for a trial exceeds the time the system is given as when the officer is available. This results in many Parking Enforcement Officers, as well as Police Officers, being scheduled to appear in Court many times per month and in some cases, more than once a day. To date, discussions between the Police Force and the Ministry have not resulted in any progress in either reducing the number of attendances at Court or reducing the delay in bringing cases to trial. This is the subject of a separate report to Metro Council by the Metropolitan Auditor.

It is concluded that the scheduling of trials is not working effectively and has a negative impact on pre-court payment rates. In addition, the nature of the overall trial process is complex involving many organizations and personnel.

As scheduling is the responsibility of the Province, some relief should be sought to shorten the elapsed time between a trial request and scheduling of the trial in either night court or day court.

It is therefore recommended that:

(3) (a) Metropolitan Council request that the Attorney General review the present trial scheduling process in an effort to reduce the number of appearances in court of enforcement officers;

(b) if improvements are not possible through the provincial ICON system, the Attorney General be requested to assign specific dedicated court rooms and sufficient staff for parking tag trials and allow Metropolitan Toronto to assume responsibility for assigning and preparing dockets for those court rooms; and

(c) with respect to (b), funding be provided by the Province of Ontario for developing and operating the court scheduling system;

7.2 PROSECUTION OF TRIALS

Metro Legal Department prosecutors took over the prosecutions of parking tag cases in Old City Hall in January, 1989, when the Ministry of the Attorney General withdrew the services of provincial prosecutors. While Metro prosecutors prosecute all cases at Old City Hall, the prosecution of cases at the other four courts is handled by the enforcement officer who issued the parking tag. Metro prosecutors attendance at the four area courts is limited to appeals of cases. This results in inconsistent prosecution of cases and inconsistent adjudication of cases, since the Officer, cadet or PEO is unable or unwilling to challenge rulings of the Justice.

It would be appropriate for Metro to have prosecutors for all sittings of all courts, day or night, downtown or area. This requires either hiring more prosecutorial staff, or consolidating and rescheduling proceedings. Reserving one courtroom for parking matters at all times, which would be staffed by Metro's prosecutor at each sitting, would be one place to begin. All parking and other by-law matters could be traversed to that courtroom if they erroneously appeared on another docket. This would also clear up the situation where Metro's prosecutors are required for one or two by-law matters on an otherwise provincially-prosecuted docket.

However, while these changes are entirely under Metro's control, the proposed changes are so closely linked with court scheduling, that they cannot be implemented on their own.

Changes in Court scheduling are the responsibility of the Province of Ontario. However, Metro Toronto should strongly urge the Ministry of the Attorney General to consider the following:

(a) not schedule trials for night court when all available night courts within 6 months are full, but put those matters on the day court docket;

(b) alternatively, reschedule parking tag courts to run from 2:00 p.m. to 9:00 p.m. This would also allow Metro to keep full-time staff for those hours, rather than relying on part-time staff or overtime full-time staff to prosecute at night and would eliminate separate day/night court tiers;

(c) in the further alternative, eliminate night court altogether so that the day courts are used more efficiently.

7.3 OTHER ISSUES

In addition, some Justices presiding over Parking Offences Courts do not allow the issuing enforcement officer to review the evidence which was filed with the court, that is, the PIN and the unpaid CPI. The enforcement officer is forced to rely on the officer's copy of the tag issued, which, with the lengthy delays in trial scheduling and volume of tags issued, is not readily available.

If the consolidation of Parking Enforcement within the Traffic Support Services unit of the Police Force, as detailed later in this report, is adopted, the effect would be to consolidate the filing of all parking offences with the Old City Hall Ontario Court (Provincial Division). It is suggested that discussions take place between Metro Toronto and the Ministry of the Attorney General to determine the preferred location for filing of parking tag cases to best serve the public for both processing of default cases and requests for trial.

7.4 MUNICIPAL TRIBUNALS

Parking by-laws enforcement and administration is primarily a municipal matter and the use of criminal court offices for adjudication of enforcement of these by-laws is neither effective for the municipality nor an efficient use of Court resources. The Ministry of the Attorney General has indicated to municipalities that the idea of municipal tribunals merits serious consideration and requesting that municipalities indicate their willingness to pursue the implementation of such a system.

During 1990, the Legislation and Licensing Committee reviewed the proposal of the City of Toronto requesting the Province of Ontario to establish a municipal division in the Provincial Court which would consider any municipal matter with which it was constitutionally possible to deal with, and that consideration of tribunals be deferred until the draft legislation is available. Metro Council indicated to the Minister that it supported the concept of a municipal division of the Provincial Court.

An alternative method of adjudication, that is, administrative tribunals, could be considered for very specialized matters such as parking tags. Administrative tribunals are used in a number of American cities to deal with parking tag matters, removing them from the Court system.

No specific proposals have been received from the Ministry of the Attorney General to date.

Metro Council supports the establishment of a municipal division of the Provincial Court to handle all municipal matters. While this would be an important step in the process of allowing municipalities to control the scheduling and timing of municipal matters, the immediate effect on parking tag trials by the creation of such a division would be minimal.

However, there are other options available including the creation of an administrative tribunal which would allow for more informal hearings, either by mail or in person. To determine the feasibility of an administrative tribunal would require consideration of the following issues:

(a) whether or not a person's rights under the Constitution would be adversely affected;

(b) how an offender's right to appeal a decision from the tribunal to a Court could be protected;

(c) whether or not costs of adjudication would be less than the cost of trials;

(d) would the backlog of trials be reduced;

(e) would an administrative adjudication be more convenient to the public;

(f) would there be increased compliance with by-laws, resulting in better traffic flow and improved traffic safety.

The Ministry of the Attorney General is considering transferring more of the responsibility for parking tag matters to the municipalities. Administrative tribunals are a long term solution which must be pursued. However, there are other short term solutions which can reduce the number of cases being filed and reduce the time to process trials. These solutions should be pursued before consideration of the establishment of tribunals.

8.0 PLATE DENIAL

8.1 OVERVIEW

The plate denial system is operated by the Ministry of Transportation requiring that all unpaid parking tags be paid before the "sticker" for renewal of a licence plate be issued. The Ministry of Transportation maintains that the plate denial system is effective and that collections will occur. However, this system is not yet effective within Metropolitan Toronto because the Ministry of the Attorney General has failed to process the bulk of unpaid convictions through to the plate denial stage.

This lack of compliance with the legislation has undermined the credibility of the entire system of parking enforcement. If the public perception is that plate denial does not work, the payment rates will continue to decline.

The POA II provides that all outstanding parking fines not collected by the courts through the Notice of Fine and Due Date or the Defaulted Fines Control Centre be forwarded to the Ministry of Transportation for collection. Outstanding parking fine amounts included on the plate owner's licence renewal form issued by MTO are to be collected at the time of renewal of the plate sticker. Failure to pay these amounts results in plate denial. The Plate Denial process is coordinated by MTO through their offices and agents located throughout the Province of Ontario.

The Ministry maintains that the plate denial system is effective and collections will occur. However, this system has not been effectively tested to date to collect outstanding fines for unpaid Metro Toronto parking tags. The Ministry of the Attorney General has failed to process tags through the Defaulted Fines Control Centre and through to Plate Denial.

It is not clear if the backlog is due to a lack of availability of Justices to approve enforcement of each case for plate denial, a lack of staff resources to process these cases, or system deficiencies in consolidating and transferring the cases to the MTO computer system. At this point in time, it is impossible to predict whether the MTO will be able to collect the outstanding fines through its agent system.

This lack of credibility in the enforcement system of Plate Denial has further increased the public perception that collection of parking tags is, at best, very hit and miss.

8.2 SCOFFLAWS

"Scofflaws" are people who ignore the judicial process and fail to pay outstanding tags. In some jurisdictions, it has become necessary to have a collection process that includes applying to the courts for a civil order to seize the vehicle and sell it if the money owed to the city is not paid.

It is interesting to note, that legislation to deal with scofflaws was necessary in New York because New York State's attempt at plate denial was a failure. The usual procedure is to identify the vehicle through its VIN (vehicle identification number) and, once located, apply a "boot" to it. This is authorized on private or public property and is in lieu of impounding it as authorized by the court order. If, after a period of time, the owner has not paid outstanding fines and administrative fees, it is impounded and held for the owner to claim. If the vehicle is not claimed in a short period of time, it is sold at auction and the funds are transferred to the city. At each step, the administrative cost is added to the fees outstanding. The fee for impounding is $175.00.

If plate denial is not more effective, measures such as the "boot" and judicial orders may be required in Ontario to give effect to bylaws. The need for a strong management direction, clear policy from council, and the support of all area councils and Metro Council members is essential.

8.3 ALTERNATIVE ENFORCEMENT/COLLECTION

Under the Provincial Offences Act, there is another enforcement/collection alternative available to the municipality. The civil enforcement process allows the municipality to register a Certificate of Default on each unpaid tag and pursue the defendant through the Judgment Debtor Examination process to recover fines outstanding. However, the costs of pursuing this alternative are prohibitive at up to $42.50 per case although these costs are recoverable.

The Plate Denial provisions of the Provincial Offences Act were enacted by the Province of Ontario to establish a simple cost effective system of collecting outstanding parking fines for Ontario municipalities. This has not been the case to date.

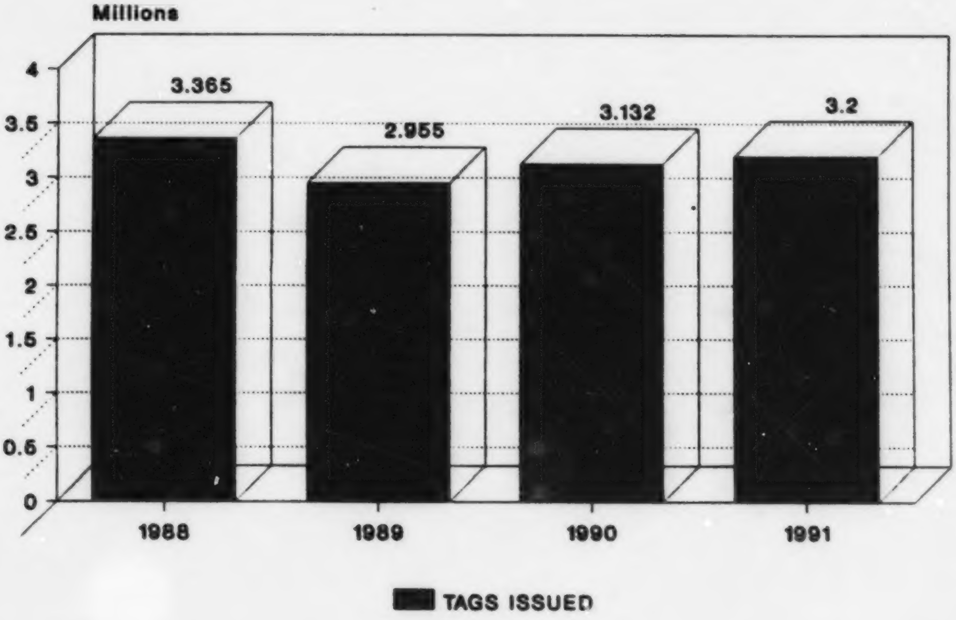
It is therefore recommended that:

(2) Metropolitan Council request that the Attorney General effect the enforcement provisions of the Provincial Offences Act on the outstanding default convictions resulting from parking tag cases filed since September 1, 1989, and process these cases as quickly as possible through to collection under the plate denial process;

9.0 TAGS ISSUED VS REVENUE COLLECTED

Over the past three years tag issues have been maintained at a level of approximately 3.2 million tags. In 1988, 3,365,000 tags were issued under Summary Convictions Act (SCA). In 1989, 2,152,000 tags were issued under SCA and 803,000 tags were issued under POA II. In 1990, 3,132,000 tags were issued during the first full year under POA II. The 1991 estimate for tags issued is 3,200,000.

PARKING TAGS ISSUED
1988 TO 1991



January to June 91 projected to year end

It is not possible to set a level at which tags should be issued. The level at best would be arbitrary as the number of tags issued depends on level of non-compliance and the ability to enforce (available resources). A balance between achieving the goals of traffic flow vs. the public level of acceptance is another consideration.

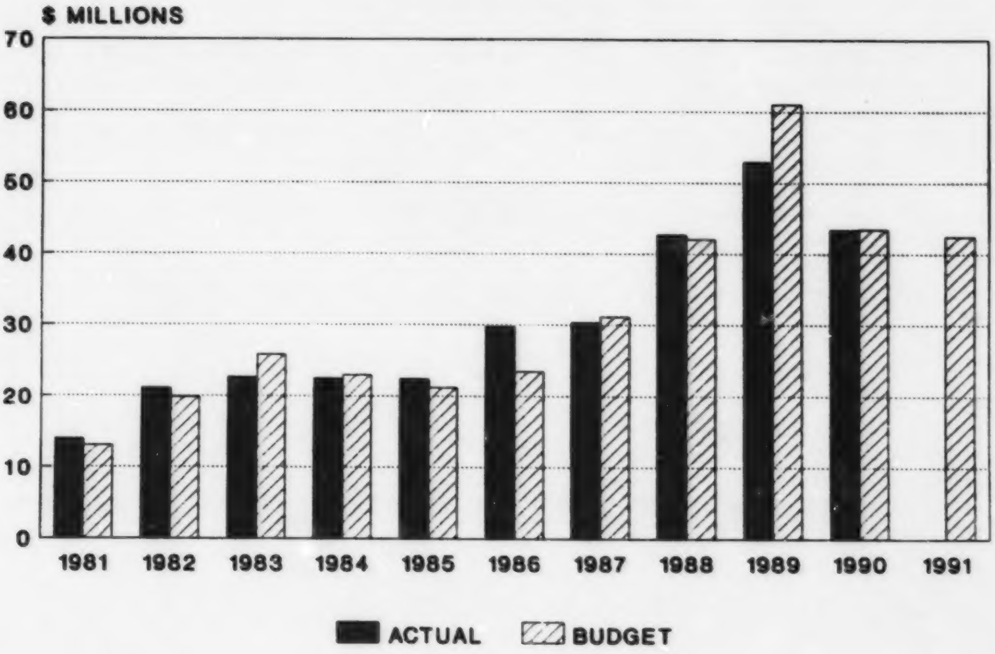
The amount of revenue collected from parking infractions is directly related to the number of tags issued, pre-court and court payment rates, fine structure, deterrents for non-payment and the credibility of the process. When Metro doubled the fines under SCA in the fall of 1988 an immediate increase in revenue was realized which extended over to 1989 when 8 months of tags were issued with the increased fine structure. Specifically the revenue in 1988 was $42,716,000 and in 1989 was $52,992,000. When POA II was introduced in September 1989 with lower fines, the revenue in 1990 fell to $43,434,000.

A number of initiatives have been undertaken over the years to encourage payment of outstanding parking tags. In 1982, a Notice of Pending Summons (NPS) was introduced and was in effect until POA II was introduced in September 1989. The total pre-court payment rate including payments received from the NPS was estimated at 55 percent. In September 1988, the fine structure was altered such that the fines doubled and tripled fine amounts from the time of issue through the NPS stage and the summons stage. This change is considered largely responsible for increasing tag revenue by $12,000,000 in 1988 over 1987 and $10,000,000 in 1989 over 1988.

With the implementation of POA II, however, a new fine structure came into effect. The "old" first level fine on the parking tag became the "voluntary payment" on the "new" parking tag, or Parking Infraction Notice (PIN). The "old" second and third level fines have become the "set fine" on the PIN. The set fines are requested by the municipality and approved by the Chief Judge of the Ontario Court - Provincial Division. The set fines are 50% greater than the voluntary payment. Therefore, while the voluntary payment is the same as the "old" first level fine, the set fine is less than the second level fine and there is no longer a third level fine. The result is a decrease in revenues and a diminished deterrent effect. The Commissioner of Transportation is reviewing the fine levels within the context of the other parking management issues and will be reporting on recommendations to change the voluntary payment and set fines.

At the current pre-court payment rate of 48.9 percent and estimated court payments of 25 percent, the estimated total revenue in 1991 is $42,500,000 of which $10,000,000 is expected to be received from the Courts for payments after conviction. Details of the 1991 revenue estimates are shown in Schedule 14.3. Implementation of a Notice of Intent to File and transfer of default processing to the municipality are expected to improve both the pre-court payment rate and revenue collection.

PARKING TAG REVENUE
1981 TO 1991



SOURCE Parking Tag Operations

PARKING TAG REVENUE 1981-1991

(Dollars in Thousands)	Tags (Actual)	Fines & Fees (Actual)	Total	Budget
1981	$ 8,680	$5,245	$13,925	$13,100
1982	14,734	6,451	21,185	19,900
1983	17,760	4,955	22,715	25,800
1984	18,726	3,824	22,550	23,000
1985	17,878	4,584	22,462	21,200
1986	23,729	6,001	29,730	23,500
1987	24,491	5,816	30,307	31,100
1988	36,740	5,976	42,716	42,100
1989	46,904	6,088	52,992	61,000
1990	33,601	9,823	43,424	43,500
1991				42,500

Source: Parking Tag Operations

10.0 OPTIONS

10.1 PROPOSALS FOR CHANGE

Subsequent to the direction of Council last October, various options have been proposed for the reorganization and improvement of Parking Enforcement and Administration in Metropolitan Toronto. Ministry of the Attorney General staff have prepared an internal report for the Minister proposing changes to the Court process to affect all municipalities in Ontario. Metropolitan Council has requested that the Chief Administrative Officer report on the feasibility of moving the Enforcement activities from the Police Force to another agency and also consider consolidating all Parking Enforcement and Administration under one central agency. With the recent publicity surrounding increased overtime costs experienced by the Police Force and increasing costs of providing all municipal services, the possibility of privatizing Parking Enforcement and Administration must be addressed. A number of options have been considered and are summarized as follows:

(1) Assumption of more responsibility for processing parking tags by municipalities as detailed in the draft proposals of the Ministry of the Attorney General presented to AMO in a discussion paper;

(2) Transfer enforcement responsibility from the Police Force to another agency, either within Metro or a private firm;

(3) Transfer processing and administrative responsibility from PTO to another agency;

(4) Centralize Parking Management under one Metro agency, including policy, enforcement, administration and processing of tags.

10.2 ASSUMPTION OF RESPONSIBILITY FOR PROCESSING DEFAULT CASES (UNPAID TAGS) FROM THE MINISTRY OF THE ATTORNEY GENERAL

The Director, Facilities and Special Courts Services Branch, of the Ministry of the Attorney General has contacted the Association of Municipalities of Ontario (AMO) to solicit assistance in addressing the problems and issues with respect to POA II.

The report to AMO outlines the previously expected benefits to municipalities of POA II, for example, improved enforcement and out of court default convictions and the expected benefits to the Province of freeing up court rooms and reducing the defaulted payments to 20 percent to 30 percent of the total volume.

The report acknowledges that more rather than less demands have been placed on the staff of court offices due to a significant increase in volumes of parking infractions and the amount of work required to process filed parking infractions (cases). The report suggests that municipalities have hired more staff to take advantage of the potential increase in fine revenue and that Parking Control and Police Officers are less involved in the trial process than before and therefore volumes have increased under POA II. This is not correct.

Tag issues in Metro Toronto in 1988 were 3.37 million tags, and 2.95 million in 1989. Contrary to assertions in the report alluding to increased issues of tags, Metro issued 3.13 million tags in 1990. The projection for tag issues in 1991 is 3.2 million issues. Metro Toronto accounts for an estimated 70 percent of all parking tags issued in the Province.

The increase in work load in the courts is a result of more cases getting to court, including up to 7,000 cases per day being filed by Metro alone. Under the Summary Convictions Act, with the requirement to serve summonses, a much smaller percentage of outstanding tags were able to be processed to trial.

Unfortunately, the courts were not prepared to accommodate the increases in default cases, processing of payments, dealing with inquiries and scheduling trial requests. Some key parts of the process are having a negative impact on payments to the municipalities. The report indicates that plate denials have added an area of new work. The Province still does not appear to have effectively accommodated this process as only 45,900 cases have been forwarded for plate denial for Metro Toronto.

Although the report indicates that the major work load impacts were unanticipated, staff at Metro did advise both Ministries (MAG and MTO) that there would be a significant increase in the volume of tags filed with the courts and for plate denial. In addition, when Metro complied with the implementation of POA II in September 1989, Metro staff were led to believe by MAG that other municipalities were already using ICON. Metro was indeed the first municipality to be connected to the Province's ICON system.

In addition to the clerical work load problems, there has been a problem in obtaining convictions on a timely basis for default cases (unpaid tags) due to an apparent shortage of Justices of the Peace. It should be noted that the double review of each default case, for conviction and later for enforcement for plate denial doubles the effort. Backlogs of up to four months or more have resulted.

The report indicates that municipalities have little incentive to ensure a greater initial voluntary payment rate due to the enforcement provisions of the legislation leading to plate denial. Metro's experience, to date, is that only 20 - 25 percent of all cases filed and convicted are paid. The effectiveness of plate denial is minimal. These lower than expected payment rates after conviction have a negative impact on Metro's receipt of revenue. The longer the convicted tag remains outstanding without plate denial being enforced, the greater the likelihood that the fine will not be collected.

The report states that 15 - 30 percent payment rates could be realized if a pre-court notice was issued by the municipality. It is acknowledged that this Notice could not be issued by municipalities with the current filing deadline of 45 days. The only reference point that the municipality has to determine the accuracy of the estimated payment rate for this Notice is the former Notice of Pending Summons which generated a 10 - 11 percent payment rate.

The report indicates that municipalities are having problems purging filing lists and filing within the 45 day time limit. This is not true at Metro. PTO consistently files on time and through quality control procedures in place purges errors before filing unpaid tags with the Court. It is acknowledged by MAG that the 45 day time limit does not give enough time to issue any other notice to the public to encourage payment or correct errors.

The report concludes that only trial requests should be handled by the Courts with the remainder of the default cases (unpaid tags) being administered by the municipality.

The report presents a number of recommended changes to the process and legislation which will impact Metro and other Ontario municipalities and these are detailed below with Metro staff responses.

The following changes are proposed by the Ministry as being reasonably straightforward and able to be accomplished with little difficulty:

(1) "create a mandatory province-wide reminder notice of the violation which must be sent to plate owner by municipality within 30 days from offence date,"

Comment: It is not desirable to require a mandatory reminder notice if the Notice does not produce the desired results of increasing pre-court payments. An optional Notice is recommended. It is recommended to seek authority to add a fee at this stage, payable to the municipality, to recover processing costs.

(2) "all inquiries are to be handled by the municipality."

Comment: All inquiries on matters outside of the Trial process should be handled by the municipality, if the responsibility for all processing is transferred to municipalities.

(3) "create a notice of conviction and pending plate denial which must be sent to plate owner by municipality."

Comment: If the Notice of Conviction and Pending Plate Denial replaces the current Notice of Fine and Due Date and permits the municipality to add a $2.50 cost as is the case for the Notice of Fine and Due Date produced by the Courts, it should be supported by Metro.

(4) "trial requests to be filed by the municipality with court office immediately upon receipt."

Comment: It is difficult to separate trial requests from the filing of unpaid tags due to the volume processed by Metro and in any event, before changes are made to filing trial requests a review of the trial scheduling process is recommended first.

(5) "extend 45 day CPI (Certificate of Parking Infraction) filing to 60 days."

Comment: It is recommended that Metro support extending the filing deadline to 75 days.

(6) "explore the possibility of making the amendments optional for municipalities except for those with populations in excess of 100,000 for whom it would be mandatory as well as for regional municipalities with populations in excess of 150,000."

Comment: While the cost of implementing the amendments may be prohibitive in some municipalities, making amendments optional may further erode the credibility of the process. A cost and fee sharing mechanism would be recommended to reduce impact on municipalities.

The following changes are proposed by the Ministry in the report but present some legal/operational/consultative difficulties:

(7) "all payments at each successive stage to be made to the municipality."

Comment: Metro Toronto should encourage the implementation of this recommendation. The Ministry currently processes all payments manually and inefficiently. Metro would continue to use the bank processing centre to process all payments received as efficiently as possible.

(8) "amend judicial process to combine conviction and plate denial as a one-step review process for both purposes so that if plate denial is required, it could occur automatically."

Comment: This recommendation is endorsed and included in the Legislation section of this report.

(9) "increase court costs to $5.00 to be equally shared with municipality."

Comment: While any change which increases deterrence is supported, if the processing of default cases and collection of payments after conviction is assumed by the municipality, then the fees should remain with the municipality and not be shared with the Province.

(10) "increase administrative default fee to $20.00 if province must enforce fines through plate denial."

Comment: same as for (9) above.

10.2.1 CONCLUSION

It is in Metro's best interest to support any initiatives to increase the level of service to the public to improve cash flow and collect monies due to the Corporation. The Province will save considerable overhead costs and experience reduced adverse publicity related to parking infractions with the implementation of these proposals. As outlined in this report, Metro will incur substantial one-time and on-going costs with the assumption of additional processing responsibilities.

Although the objectives of the Province and Metro appear to be the same, a number of details must be worked out in order to successfully transfer default processing to Metro and other Ontario municipalities.

It is therefore recommended that:

(1) Metropolitan Council indicate its support of the Ministry of the Attorney General initiatives to transfer to municipalities responsibility for processing of default cases, subject to agreement being reached on cost-sharing for the processes assumed by the municipality;

10.3 TRANSFER ENFORCEMENT RESPONSIBILITY FROM THE POLICE FORCE TO ANOTHER AGENCY

The Chief Administrative Officer was requested to report on the feasibility of moving the enforcement activities from the Police Force to another agency. The options available include transfer of enforcement responsibility to an agency within Metropolitan Toronto to enforce parking by-laws, contracting an outside company to provide the necessary services or allowing the area municipalities to be responsible for their own by-law enforcement.

The discussion of this topic must recognize that the Police would transfer responsibility for one of the most contentious parts of their operation. Dealing with conflicting demands for enforcement leads to frustration within police management who try to rationalize provision of enforcement services. Satisfying community groups and vocal individuals is very difficult unless policy is adopted and implemented consistently at both the staff and political level.

The implementation of any of the enforcement options noted above will impact Metropolitan Toronto and its new parking enforcement agency as follows:

(1) The system for pound management and dealing with complaints will have to be duplicated by the new enforcement agency without the benefit of using CPIC (Canadian Police Information Computer) due to the restrictions on non-police use of CPIC. This will result in increased reports of stolen vehicles to the police to discover later that they have been impounded;

(2) A system will have to be developed to provide impound services and contracts other than through the current police operated pounds;

(3) A communications system for assigning personnel to respond to complaints and providing a life line for assaults as well as routine communication is required. This must, of course, include such things as a centrally staffed telephone answering and complaint response creation area. The issues of

community policing and parking enforcement will no longer be addressed by the Police Force. As the Force would not be responsible for enforcement, it would only forward complaints to the new parking enforcement agency for action.

(4) Currently, parking enforcement officers do not have the right to strike under the Police Services Act and are represented by the Metropolitan Toronto Police Association. Labour disputes are settled by binding arbitration. If privatized or transferred to a department of Metro, the operation will be subject to the forces in the marketplace, ranging from no union to representation by any of a number of unions. In either case, there would be no effective alternative for enforcement should a labour disruption take place in the future.

To believe that enforcement would continue as effectively without Police Force involvement is difficult given the experience of the City of Toronto using civilian bylaw inspectors to enforce Vending bylaws. While inspectors take enforcement action, the reality is that they demand police to accompany and protect them.

Transferring parking enforcement from the Police Force would result in excess staffing which would need to be absorbed within the Force. The issue of staff layoffs would need to be addressed. A review of the current staffing indicates that very few would qualify to be Police officers or clerical support staff.

The issue of parking enforcement includes much more than issuing the PIN. The infrastructure and support systems are equally important and include such items as communications, data processing and transportation systems. The issuance of PINs and towing of motor vehicles does not happen without verbal and physical confrontation, requiring investigation, arrest and prosecution of offenders as well as defending members counter-charged as the result of their duties.

If privatization is the recommended alternative, there are other issues. Historically, it has not been acceptable for enforcement officers or others responsible for the administration of justice to be paid on a volume basis. Quotas and commission payments for enforcement are unacceptable to the Municipality. A private company providing the enforcement service will be subject to the same cost pressures as the Police Force. Requiring attendance in court by the personnel of a private company will still be a significant factor in the cost of issuing PIN's.

On the positive side, the contract will set expectations on the contractor for level of service and return. Costs are known and finite. Within the contract, performance standards are assigned to each performance expectation. Contract provisions and monitoring systems will be required to ensure that the company responds to changing enforcement level needs and changes occurring in the court system.

It is necessary to review the objective of transferring enforcement of parking by-laws from the Police Force to another agency. There is increasing concern by Council that Police involvement with parking enforcement results in both excessive amounts of Police officer's time spent on writing parking tags and appearing in court and yet inconsistent and slower response to parking complaints because of the lower priority assigned to them. In the system currently in place, if expectations did not exist for Police personnel to attend court, significant overtime cost reductions could be expected.

10.3.1 CONSOLIDATE PARKING ENFORCEMENT

There is another alternative to transferring enforcement from the police. That is, to consolidate parking enforcement within the Police Force by enhancing Traffic Support Services. Traffic Support Services is part of Traffic Operations and this would provide an opportunity for creating consistent enforcement policy and practice relating to all offences respecting vehicles using public roadways. The gains in operational effectiveness, removal of parking enforcement related calls for service from police officers and consistent enforcement practices would assist the long and short term goals of the Metropolitan Corporation.

At the present time, only 2,225 of the over 5,500 Police officers issue parking tags and this accounts for only 8 percent of the total volume. It is expected that central deployment of parking enforcement officers would result in improvements to response time to calls for service and increased efficiency of issuing tags. This centralization would allow for the complete elimination of issuance of PINs by Police officers therby removing Police personnel from the process of issuing tags and attending trials. A reduction in court overtime would be expected from this change.

The issue of parking infraction notice complaints would be centralized. Complaints of illegal parking would be directed to a central parking enforcement dispatch, operating a separate channel on the police radio system, while at the same time having access to the dispatch system and police systems such as CPIC and NCIC (National Crime Information Centre). Because the police already have the support systems and personnel in place to deal with hiring, training, management and support, it is cost effective to leave it in place rather than recreating it elsewhere.

All complaints regarding errors in tags issued would be directed to the Traffic Support Services, separate from police divisions and traffic unit front counters. Complaints of this nature would be handled by directing them to Parking Tag Operations and having a police officer there handle the instances where an investigation is required. This allows for consistent policy interpretation. If there are no errors, the options available to the recipient can be exercised.

By providing an improved level of service to the private sector within the Municipal Law Enforcement Office and encouraging increased participation, additional MLEOs will be trained. This allows Metropolitan Toronto to receive the revenue from enforcement in return for the cost of training and supervising the MLEOs. This form of privatization is beneficial for the municipality.

10.3.2 CONCLUSION

Consolidation of parking enforcement within the Police Force achieves the benefit of maximizing the use of civilian resources for enforcement while maintaining the benefits of affiliation with police support services. The Corporation should retain responsibility for parking enforcement and its associated functions through provision of services designed to eliminate the factors negatively impacting effectiveness and operational efficiency.

10.4 TRANSFER PROCESSING AND ADMINISTRATIVE RESPONSIBILITY FROM PTO TO ANOTHER AGENCY

Currently, the PTO Section of the Treasury Department is responsible for processing and collection of all parking tags issued in Metro Toronto, and administration of the parking tag process from issuance through to filing with the Courts.

There are a number of alternatives available to the Corporation, including the status quo, transferring responsibility for processing from the Treasury Department to another department, transfer to a separate public agency, transfer to a private agency or combination of the above for specific functions and responsibilities.

The option of transferring responsibility to another department or a separate public agency is discussed in Section 10.5.

Transfer of the responsibilities for processing and collection to an outside company, or privatization, has been proposed as an option. It is necessary to clearly define the objective of privatization in any consideration of the issue. There is some concern that not enough money is being collected from parking tags and that an outside agency could collect more money on Metro's behalf. Privatization can also be seen as a way to cut costs and reduce Metro's investment in equipment and computer systems and increasing staff requirements.

If the objective is to collect more money than is collected currently, a private company acting on Metro's behalf would be subject to the same backlogs and delays in processing by the court, being experienced by Metro today. As discussed in Section 5 (Parking Tag Operations) and Section 6 (Default Processing), PTO continues to meet the Corporation's obligations under the legislation and process all tags and collections in a timely manner. Until changes have been made and resources committed by the Province to reduce the processing backlogs, Metro will not be able to implement processes to significantly impact on revenues, either through PTO or a private company.

Another objective of privatization is to reduce operating costs. Metro would not be faced with the one-time costs of hardware purchases and software required to implement any change in processes legislated by the Province. The contract would determine the expectation the company for the level of service provided and rates of return. Costs are known and finite. A company providing the service would be subject to the same cost pressures as Metro for ongoing operating costs and would have to recover their initial investment in systems and make a profit through the fees charged. It is reasonable to expect that Metro would have to pay a premium over the ongoing costs now incurred.

Currently, Metro uses a mix of public and private sector expertise to operate the parking tag process. While Metro staff operate all facilities and respond to all complaints and enquiries, a number of private companies provide service as follows:

(1) PTO currently uses one of the chartered banks to process all mail received from the post office box through a central remittance processing centre. All mail is opened, payments separated, processed and deposited to the bank account, and complaints letters forwarded to Metro. Payments are processed at a unit cost which could not be matched if those tag payments were processed in-house.

(2) The software used by PTO was developed by an outside contractor. The contractor continues to maintain the software and programs any changes required to meet process demand.

(3) As part of the recommendations for implementing assumption of the default processing from the Province, PTO proposes to use a private company to laser print, sort and mail all Notices of Intent to File and Notices of Fine and Due Date. This eliminates a capital investment by Metro in laser printers, folding, sealing and mailing equipment.

With these changes, almost 50% of Metro's ongoing processing costs have been privatized, while maintaining Metro staff contact with the public and control of all processes.

The administration and processing overhead is currently equivalent to 76¢ per tag issued. The projected overhead after implementation of the initiatives contained in the report is estimated to be $1.89 per tag. Economically, it would appear that an alternative that would reduce the administration and processing overhead to under $1.89 would be worth investigating.

Privatization of processing and administration would require a considerable amount of time to implement including the establishment of criteria and issuance of request for proposals through to evaluation of proposals and recommendation to Council. The process through to conversion to the outside company is expected to require from 12 to 18 months to complete. Consideration would have to be given to accommodating employees in PTO displaced by the privatization, in light of the collective agreement.

10.4.1 CONCLUSION

The solutions proposed in this report can be executed without total privatization of the processing and administrative responsibilities. Delaying the takeover of processes from the Provincial government, while implementing a changeover to a private company will only delay the increased efficiency and revenue which Council is seeking.

10.5 CENTRALIZE PARKING MANAGEMENT UNDER ONE METRO AGENCY

Creating a central agency to deal with all aspects of enforcement and administration of parking tags is similar to the issue of privatization of the whole system without Metropolitan Toronto completely losing control over the process.

The consolidation of the major components of Parking Management, Enforcement, Administration and Prosecution into one agency is best considered on an evolutionary basis. It is acknowledged that better coordination among the four departments is required to effectively implement Council's objectives.

The immediate establishment of a single agency responsible for all aspects of parking enforcement would not necessarily result in improved parking management or increased revenues. The very diversity of having the various functions under four departments has, in-fact, protected the integrity of Metro's enforcement and collection processes.

10.6 CONCLUSIONS

This report contains specific recommendations which, if adopted will centralize enforcement in one unit within the Police Force and transfer additional administrative responsibilities from the court to PTO. In addition, it is recommended that a management group be established to report on and be responsible for communicating on all issues dealing with the four major components itemized above.

Consolidation of enforcement within the Police Force is expected to show real benefits in the short and long term. Further consolidation of the enforcement and administrative functions in the same geographical facilities will have a positive impact on costs and public service.

Upon consolidation, systems and procedures will be put into place to process, monitor and report on new and consolidated responsibilities within the amended legislation.

After a period of 6-12 months, Council will have more information available to assess the relative effectiveness of the consolidation, and to establish criteria for further consolidation under a public agency or privatization of all or part of the operations where it is practical and cost effective to do so.

11.0 RECOMMENDED STRATEGY

11.1 OVERVIEW

The objectives of the strategy recommended in this report are as follows:

(1) to strengthen and streamline the process of enforcement through consolidation of parking enforcement responsibilities within the Police Force;

(2) to protect the integrity of the default process and enhance and expedite collection of revenues accruing from enforcement through the introduction of a Notice of Intent to File and assumption of default processing from the Province;

(3) to promote better management of parking issues in Metro Toronto through the formation of an Implementation Task Force and an ongoing Parking Management group to coordinate and review all issues relating to parking management.

However, it is essential to realize that implementation of the recommended strategy is contingent upon the changes in legislation, without which Metropolitan Toronto will be limited in its opportunities to improve collection of revenues which can fund both improved administration and consolidation of enforcement.

The recommendations contained in this report include a request to the Province of Ontario to make amendments to POA II to allow municipalities to make improvements in enforcement, payments and correction of errors in order to reduce the number of cases filed with the Courts. These amendments would allow Metro to issue a Notice of Intent to File to offenders before filing unpaid tags with the courts and also transfer responsibility to Metropolitan Toronto for processing of all default cases and the collection of all related fines. This will result in a consolidation of the administration of parking tag collection both before and after conviction to provide more effective service to the public and more efficient collection of Metro's revenues.

In addition, the legislative amendments proposed would provide a framework for a more efficient trial scheduling system leading to more effective prosecution of parking offences and a reduction in attendance and overtime costs related to enforcement officers and also would allow enforcement of "drove aways".

The recommendations include resolving the current enforcement issues by consolidating parking enforcement under one police unit commander and establishing the consolidated unit in three locations, one of which would contain Parking Tag Operations. This will further consolidate enforcement operations and processing administration in a single facility.

The formation of a management group made up of management personnel from each area for the consolidated operation will provide a framework for interaction, information exchange and problem resolution. Creation of an Implementation Task Force will ensure cost-effective utilization of funding.

The effects of implementing the recommended strategy are to enhance Metro's collection of revenues, obtain more effective enforcement of parking by-laws, and consolidate and identify all operations necessary for effective parking enforcement and administration and its associated costs. Once this has taken place, a review of privatization or management change within the organization is more relevant.

11.2 ESTABLISHMENT OF IMPLEMENTATION TASK FORCE AND PARKING ENFORCEMENT AND ADMINISTRATION MANAGEMENT GROUP

Currently, several departments of the Corporation are independently responsible for parts of the parking enforcement and administration function. The result has been an excellent model for cooperation but has led to some inefficiencies and duplication of effort.

Creation of an Implementation Task Force, chaired by the Chief Administrative Officer, will ensure implementation of the recommendations in this report in a coordinated fashion and with cost-effective utilization of funding. Inclusion of a member of Council on the Implementation Task Force will provide Council with direct contact to the implementation process. The Task Force will include the Metropolitan Treasurer, the Metropolitan Solicitor, the Chief of Police and the Commissioner of Transportaion.

The funding required for one-time costs of the implementation of the recommendations will be addressed in a subsequent implementation report when the Province of Ontario has amended the required legislation and will be recommended for inclusion in the Sundry at Large Account. The funding required for ongoing costs related to implementation of the recommendations will be included in the individual department's appropriations.

It is therefore recommended that:

(10) a Task Force be established chaired by the Chief Administrative Officer and including a Member of Council, the Metropolitan Treasurer, the Metropolitan Solicitor, the Commissioner of Transportation and the Chief of Police, with responsibility for implementation of the recommendations in this report, as approved by Council;

The need for a management group to be formed with responsibility for ongoing coordination of the enforcement, processing and collection, and prosecution aspects of parking management is recognized. The management group will include representation from the Treasury Department, Legal Department, Police Force, Transportation Department and the Chief Administrative Officer's Department. This group will discuss and make recommendations with respect to parking management issues which cross departmental boundaries in a more effective fashion. The members of the management group will continue to report through their respective departmental structure to Metro Council or the Police Services Board.

11.3 LEGISLATION

POA II has been in effect in some municipalities since 1987 and in Metro Toronto since September 1989. This report has identified a number of issues and concerns related to the current legislation that inhibit enforcement, payments, correction of errors, prosecution, trial scheduling and attendance of enforcement personnel.

With declining rates of payments at the pre-court and court stages and processing delays at the Province, new initiatives must be forthcoming to increase the rate of collection of Metro's revenues. The Ontario Traffic Conference is currently undertaking a study to determine the extent of parking abuse by out of province registered vehicles and the need for Ontario court convictions for the habitual abuser. The results of the study will be drafted identifying the problems and recommending changes to the necessary acts.

The Association of Municipalities of Ontario (AMO) has been advised of changes in legislation and regulation proposed by the Ministry of the Attorney General. These proposals and others that have been developed as a result of discussions with the Ministry staff have been addressed in this report and are formulated into specific recommendations for presentation to the Province.

Implementation of the recommended strategy is contingent upon the changes in legislation as identified. To expedite benefits to the Corporation, the public and the Province, it is essential that Recommendation (4)(e) be pursued immediately with the Province:

(4) Metropolitan Council request the Province of Ontario to amend the Provincial Offences Act, Part II and any required Regulations under the Act to:

(e) extend the time for filing Fail To Respond and Requests For Trial to 75 days from the date of issuance of the Parking Infraction Notice;

The specific changes to legislation recommended in this report will, when implemented, provide the opportunity to realize a number of benefits. Extension of the court filing deadline would enable Metro to begin issuing a Notice of Intent to File. This Notice would be sent to all offenders with unpaid tags in sufficient time to accept payments and investigate and correct errors before filing cases with the Courts.

With the additional amendments to POA II legislation as recommended in this report, Metro Toronto could assume processing of all default cases currently undertaken by the province. The transfer of default processing to Metro is expected to have a positive impact on payment rates, revenue and service to the public.

In addition to the changes in POA II recommended, there is a need to further consolidate and simplify by-laws controlling parking throughout Metropolitan Toronto and the area municipalities. Although some improvement has been realized with the adoption of the uniform Traffic By-law, there remains a number of unique infractions and unique wordings to describe those infractions adopted by some municipalities which could be eliminated or consolidated. Further consolidation will simplify enforcement, processing and convictions.

11.4 IMPLEMENTATION OF NOTICE OF INTENT TO FILE

The expected benefit to Metro by implementing the Notice of Intent to File include increases in pre-court payment rate, an additional pre-court quality control check, thereby, reducing the error rate filed with the courts, reduction in the number of default cases (unpaid tags) filed with the courts, thus reducing court overhead costs and an overall improvement in level of service to the public.

Municipalities are required to file default cases (unpaid tags) and Requests For Trial with the Courts within 45 days of issue. The introduction of a Notice of Intent to File (similar to the Notice of Pending Summons under the SCA) would provide an additional incentive for the public to pay tags before conviction. However, the 45 day time frame does not allow enough time for Metro to process a Notice, accept payments and still file default cases and Requests For Trial with the Court within the legislated time frame. Implementation of the Notice of Intent to File is contingent upon the changes in legislation as identified.

The MAG report to AMO states that 15 to 30 per cent payment rates could be realized if a pre-court notice was issued by the municipality. The only reference point that the municipality has to determine the accuracy of the estimated payment rate for this Notice is the former Notice of Pending Summons which generated a 9 - 10 per cent payment rate. It is estimated that Notice of Intent to File will result in a increase in the payment rate of approximately 10 per cent, rather than the aforementioned 15 to 30 percent.

The Notice of Intent to File would be processed as follows:

Day 1	Enforcement officer issues PIN

Day 1 - 15	Offender has 15 days to pay PIN or request a trial
Day 16 - 20	Data entry of information on unpaid CPI by PTO, transfer of information to MTO and receipt of Certificate of Ownership information from MTO
Day 21 - 25	Prepare and mail Notice of Intent to File to the vehicle owner
Day 26 - 29	Expected receipt of Notice by the vehicle owner
Day 27 - 59	Vehicle owner is allowed 30 days to pay set fine on Notice of Intent to File or advise Metro Toronto of errors or complaints
Day 27 - 65	Metro Police and Treasury staff investigate complaints and errors and either return to the vehicle owner if PIN issued is correct or withdraw errors from further process
Day 65 - 75	Default cases (unpaid tags) and Requests for Trial documents prepared and filed with the Court office

It is therefore recommended that:

(6) Metropolitan Toronto issue a Notice of Intent to File, as detailed in the Implementation Plan to:

- **(a) notify offenders that an unpaid parking tag will be filed with the Ministry of the Attorney General according to the provisions of POA II;**
- **(b) allow for payments to be accepted in response to such a Notice before filing the unpaid tag with the Ministry;**
- **(c) provide the public with an opportunity to advise the municipality of issuing errors so that errors may be investigated and corrected before filing the unpaid tag with the Ministry.**

11.5 ASSUMPTION OF DEFAULT PROCESSING AND COLLECTION FROM THE MINISTRY OF THE ATTORNEY GENERAL

Court staff enter the convictions and cases quashed by a Justice of the Peace into the ICON system from the completed dockets. ICON staff produce the conviction notice called the Notice of Fine and Due Date from this file and adds a $2.50 court cost to each tag. The Notice is mailed and the offender given 30 days to respond by paying the set fine plus court costs or applying to have the case reopened or appealing the conviction. The reopening and appeal procedures are complicated and an administrative appeal mechanism is required. Currently, some Notices of Fine and Due Date are being produced by the ICON system in a time frame such that they are received postmarked after the Due Date to respond.

By adoption of the preceding recommendations and subsequent change in legislation and responsibilities Metro Toronto may then proceed to develop and implement the changes in processing tags, notices and inquiries in a more effective and efficient manner.

It is therefore recommended that:

(7) Metropolitan Toronto implement processing of default cases, as outlined in the Implementation Plan;

11.6 CONSOLIDATION OF ENFORCEMENT

The Force is committed to making changes that will improve the level and quality of enforcement and make it a viable part of the delivery of community policing services.

The consolidation of parking enforcement under Traffic Operations will result in the following benefits:

(a) consistent enforcement policy throughout Metro

(b) centralized unit to deal with legislative changes

(c) relieve police officers from responding to parking complaints

(d) relieve police divisions from dealing with parking problems

(e) provide a resource to community groups on parking issues

(f) provide a liaison with politicians and municipal departments

(g) reduce the number of errors, withdrawals and illegible tags

Further consolidation of processing and administration with the east unit of Traffic Support Services is proposed. PTO staff would be located at a central location with payments accepted from the public at the other two locations. Hours of operations at this central location are proposed to be 8:00am to 10:00pm, 5 days a week. Operation on Saturday is an option for review at a later time.

It is therefore recommended that:

(8) Metropolitan Council request the Metropolitan Toronto Police Services Board and the Chief of Police to:

(a) consolidate parking enforcement operations and policy functions within Traffic Operations, as detailed in the Implementation Plan, by December 31, 1992;

(b) develop information systems in conjunction with the Treasury Department, integrated with the Tag and Accounts Receivable Tracking System for effective personnel deployment, pound management and any other management requirements for parking enforcement;

(c) prepare the 1992 budget estimates for the Police Force identifying the consolidated costs of parking enforcement as a separate cost centre;

12.0 IMPLEMENTATION PLAN

DATE	ACTION	RESPONSIBILITIES
1991 August	Adoption of Policy Report	Council & Police Services Board
	Refine and document administrative processes and procedures to be assumed by Metro from the courts	PTO
September	Refine computer software, services, and hardware requirements	PTO/Police
	Refine staffing requirements	PTO/Police
October	Negotiate hardware, services & application software agreements with suppliers	PTO
November	Adoption of POA II legislative changes	Province of Ontario
	Review and evaluation of legislative changes	PTO, Legal, Police
	Confirmation of original assumptions and identification of additional requirements resulting from legislative changes	PTO, Legal, Police
December	Complete hardware, software and service agreements with suppliers	PTO
	Develop implementation plan complete with costs, benefits, timing and resource requirements	PTO/Police
1992 January	Adoption of implementation plan	Council & Police Services Board
	Enter into agreement with hardware, software and service suppliers (Place necessary orders).	PTO/Supplier
February	Start software development	PTO/Supplier/Police
	Start notices design	PTO/Supplier

	Start recruitment of staff	PTO/Police
	Site selection/lease agreement	Parks & Property, Police, PTO
March	Application software testing begins	PTO
	Delivery,installation and testing of computer hardware	PTO/Supplier
	Start staff training	PTO/Supplier/Police
	Start site renovations	Parks & Property
April	Start issuing Notice of Intent to File, payments and error correction processing	PTO/Supplier
May	Applications software testing complete	PTO/Supplier
	Finish staffing and training	PTO/Supplier/Police
	Start issuing Fail to Respond Docket for review by JPs	PTO
	Finish site renovations	Parks & Property, owner
	Move into east site	PTO, Police
June	Start issuing Notice of Fine and Due Date for tags convicted by JP	PTO
July	Move into central site	Police
	Move into west site	Police
	Post implementation review	PTO, Legal, Police

12.1 PARKING ENFORCEMENT 1991 AND BEYOND - THE TASK

Upon approval of this report by Council and the Police Services Board, the Implementation team will begin the task of planning for the implementation of the specific recommendations. The implementation cannot begin until the Province of Ontario makes the necessary legislation changes. A refinement of cost and revenue estimates will be required to confirm or modify earlier assumptions.

12.2 IMPLEMENTATION OF NOTICE OF INTENT TO FILE AND NOTICE OF FINE AND DUE DATE

One-time costs	$2,115,000
Annualized recurring costs	$2,789,000

Subject to the Province of Ontario enacting the necessary ammendments to POA II and the Highway Traffic Act outlined in this report, Metropolitan Toronto will introduce a Notice of Intent to File and assume responsibility for default processing and producing the Notice of Fine and Due Date within the parking tag processing cycle. The Notice of Intent to File will be issued to the Registered Plate owner for each unpaid tag on the 21st-25th day after the date of infraction prior to filing with the court. Introduction of this Notice is expected to improve pre-court payment rates, provide a pre-court correction process and reduce cases filed with the Courts. The owner will be given thirty days to respond before the default process is continued.

Metro Toronto will assume the processing of default cases, which have been convicted by a Justice of the Peace, from the Courts. The registered plate owner is advised of the conviction through receipt of the Notice of Fine and Due Date. The owner has thirty days to respond to the notice by paying the fine, appealing the conviction or by request that the case be reopened.

The one-time costs of implementation of the Notice of Intent to File and Notice of Fine and Due Date include changes and additions to applications software and computing equipment which are required to accommodate the increased processing and service responsibilities. Software and data base changes are required to process and track the Notice of Intent to File and Notice of Fine and Due Date cycles, provide correction and revised data entry, payment processes and public inquiries. Additional computing equipment is required to support these changes as well as to provide an expanded information base of all enforcement and processing activity and maintain a high computer system uptime. The one-time and recurring costs of implementation of these processes is detailed on Schedule 14.1 - Parking Tag Operations - Annualized Costs.

12.2.1 HARDWARE

The hardware selected in 1989 was the IBM AS400 mini computer. The hardware vendor was selected on the basis of a request for proposals and continues to provide the necessary maintenance and support of the computer hardware, peripheral equipment and systems software. The hardware continues to provide a high level of service with a minimal amount of downtime. Cost estimates have been obtained for the required enhancements to the computer system for the implementation and processing associated with the introduction of the Notice of Intent to File, default processing and production of the Notice of Fine and Due Date.

A one-time cost of $550,000 is required to upgrade the current computing platform. Most of this cost is increased disk storage to accommodate additional volumes, outputs, processes, inquiries and data entry. An increase of $30,000 in annual costs will be incurred for maintenance and support.

With the acquisition of its own mainframe in 1990, Metropolitan Toronto now has the capability to move this system to the mainframe. Discussions with Corporate Services are underway and cost estimates are being prepared for the transfer of the operation to the mainframe and a final recommendation will be made to Council at the time of approval of the Implementation Plan.

12.2.2 SOFTWARE

The applications software implemented in September 1989 was designed to accommodate pre-court processing, tag payment processing and telephone and mail inquiries from the public. Selection of the contractor was made after evaluation of proposals received from a request for proposals. The successful applications software developer was Westbridge/MSL. The company continues to provide a high level of maintenance and support of the software under a maintenance agreement.

A review of the changes required to current modules and the new modules to be developed has been undertaken with Westbridge and the cost to complete the systems work estimated. The one-time development costs are estimated to be $365,000. An increase in the maintenance costs of $25,000 annually for software maintenance will be incurred. The changes include adding five new programs/modules, modifying ten others and completing the required changes to the PTO data base.

As part of the PTO process, all tags issued are processed through document handling equipment which captures the tag number in a computer file, sorts the tags into numerical order and takes a microfilm image of all tags (CPIs) received. The document handling equipment is manufactured and supported by Unisys Canada. To accommodate the proposed changes in process, it is necessary to modify the computer programs that control the document handling equipment. An estimate of $25,000 has been received from Unisys for the required one-time software development cost.

12.2.3 FURNITURE AND FIXTURES

New workstations will be required for existing and new staff to accommodate the changes in process. At the time of the move to 60 Richmond Street East, the renovation costs included the cost of constructing permanent dividers between desks. As the job functions become more generalized and the workload shifts from section to section, it is appropriate to install modular workstations for all staff at the new location. The workstations will allow the unit to minimize the specialized functions and increase flexibility of job rotation and assignment of staff to meet emerging workloads. For example, we are currently experiencing ongoing workplace-related health problems with staff required to perform keying duties on a constant basis. Modular workstations would allow for cross-training and job rotation. This is expected to improve efficiency and create a more positive working environment. It is estimated that the required workstations and filing equipment will cost $100,000.

12.2.4 STAFFING

The expected expansion of processes through the introduction of the Notice of Intent to File and the assumption of the processing of default cases and the production of the Notice of Fine and Due Date will require a reorganization to the work flow and staffing requirements in PTO. It will be necessary to create a Court Processing Section separate from the pre-court Parking Tag Processing Section to maintain the independence which is required by the Court system.

It is estimated that five additional clerks will be required to respond to and process complaints and inquiries from the Notice of Intent to File and the Notice of Fine and Due Date. Three data entry operators will be required to input increased issues due to the consolidation of PEOs and to input corrections resulting from error investigations. An additional computer operator will be required to accommodate processing notices and the separation of tags on a third shift. Computer operations currently operate on two shifts, five days a week. Three additional clerks will be required to perform clerical duties in the Court Processing Section. It is expected that, with the decrease in workload in the Court Filing Section, staff will be transferred to the Court Processing Section. Additional management staff will be required to handle policy and operational issues and liaise with the courts and other Metro organizations.

A total of sixteen additional staff is estimated to meet processing and administrative requirements. The positions and any reorganization will be the subject of a review by the Personnel Department. The cost of additional staffing including benefits is estimated at $739,000 annually.

12.2.5 TRAINING

With the new processes and responsibilities assumed by Metro Toronto, appropriate training will be required in the new processes and procedures. An estimate of $25,000 is included in the estimates to prepare and conduct in-house courses for all staff.

12.2.5 PROJECT MANAGEMENT

A project of this magnitude requires a project Manager. A considerable amount of interraction will be required between the various Ministries, Metro departments and outside companies to ensure appropriate project management. The number of activities include areas such as computer systems development, enhancements, facilities search, renovations, training, etc. and will require hands-on monitoring to ensure an orderly implementation of all phases of the proposed plan. A knowledge of the various functions and staff involved is required to minimize the learning curve and maximize the contribution of the project manager within the relatively tight time frame. The successful and timely implementation of the project undertaken by PTO in 1989 was due, in part, to the strong project management. An estimate of $100,000 has been included for project management costs.

12.2.6 COMMUNICATIONS CAMPAIGN

To effectively introduce to the public the changes in responsibilities and services, a communications campaign should be developed to insure public awareness and to minimize the transition from the Province to the Municipality.

Metro will be assuming a larger role with respect to parking tag management and the communications function as it relates to dealing with parking tag offenders as well as the tag payment process. It must have, therefore, a defined external communications plan and process in place to capitalize on these circumstances and further its own management objectives.

There is a requirement to bring these factors to the driving public's attention, as well as the benefits arising from Metro's new, and expanded role and the "new rules" as they affect all motorists--particularly parking offenders and the public's options in dealing with their infractions. A two-stage approach to the external communications functions is suggested.

(1) a "facts only" campaign to inform the public about the fundamentals of the new structure and benefits of early payment; and

(2) an extensive information campaign to inform the public about the whole parking tag issue including the plate denial process.

The objective is to demystify the rules about tag payment options and, at the same time, produce a communications plan which ensures that parking tag revenues are increased. Metro must ensure that its responsibilities with respect to public information/education/persuasion are fulfilled to the most complete extent possible and that "stage two" is carried out in an especially convincing fashion.

A campaign for stages one and two in concert with the Parking Management Team is estimated at a cost of $400,000.

12.2.7 CONSOLIDATION OF PTO WITH ENFORCEMENT

PTO currently serves the public through its office at 60 Richmond Street East five days a week from 8:30 a.m. to 4:30 p.m. However, an increasing proportion of the public cannot attend at the offices during those times. The office is not accessible to persons with physical disabilities. It is recommended that PTO be consolidated at the east site with Traffic Support Services, to provide better service to the public and increased cooperation and coordination with the Police Force.

Funds for consolidation in a central location are estimated to be $525,000 as a one-time cost. The increase in recurring costs for rent and maintenance are estimated at $370,000 per year.

Appropriate accommodations for general office including cash counter operations, shipping and receiving, document storage, computer room, work area for the assigned JPs and reception are required.

12.2.8 CONTRACTED SERVICES

There are two alternatives to be considered for preparation of the notices and payment processing, in-house and outside service.

Additional equipment software and/or services are required to produce and mail the notices and accept payments. An in-house alternative involving the acquisition of printing and mailing facilities is estimated to incur $400,000-$550,000 in one-time costs and $300,000 in annual operating costs.

Moore Business Technologies Division provide a full service from blank stock paper to distribution and mailing using current laser technology and advanced form handling equipment. Metro would provide data input daily in the form of a magnetic tape or direct transmission from which Moore would process and mail the required notices. To encourage payment of outstanding tags, it is proposed to include a postage paid return envelope in every Notice of Intent to File issued. Moore's sophisticated production facilities can accommodate Metro's requirements. Moore is currently working on a project with the Metro Community Services Department. It is estimated that the annualized service cost of producing the Notices of Intent to File is $270,000 and the Notices of Fine and Due Date is $190,000.

A review of the postal services and rates has also been undertaken with Canada Post. Metro may qualify for discounts at the volume of notices expected to be produced. The estimated annualized cost of mailing both notices to the public is $785,000 based on a rate of 37.5¢ per notice. A return self addressed postage paid envelope is proposed to encourage payments. An annual cost of $150,000 in additional postage costs is estimated.

The Notices would be designed to be processed in a fashion similar to that used by the Royal Bank payments processing centre for payments received for parking tags. The MICR encoding on the Notice would allow the processing centre to process payments and prepare a computer file of all payments received which would be used to update the information on the PTO computer. Based on the current unit costs, the projected increase in payment processing costs is $195,000 per year.

12.3 CONSOLIDATION OF ENFORCEMENT

One-time costs	$2,550,000
Annualized recurring costs	$3,105,000

Parking Enforcement Officers are currently assigned to divisions and provision for lockers, supervisors, vehicles, radios and other necessary equipment and accommodations has already been made. This is not transferrable from divisions as it is part of the infrastructure. The gains to be made in the consolidation result from moving the PEO's to geographic locations near the areas to be serviced. This will require additional space for offices and other ancillary uses, lockers, vehicles, radios, supervisors, and computers. The process must be managed in a manner that reduces the effects of change as the majority of the people involved have been employed for many years.

Costs are anticipated to be incurred over the life of the one year implementation plan. The following costs are contingent on approvals as detailed in the Implementation Plan. The costs of consolidation are summarized in Schedule 14.2 - Consolidation of Enforcement - Annualized Costs.

There are currently 249 approved parking enforcement officer positions and approximately 50 cadets assigned to full-time parking enforcement duties. Additionally, some uniform police personnel from Traffic Support Services are assigned on a full-time basis. One additional Police officer is working at Parking Tag Operations on a 'light duties' basis because of infirmity. This position has been so successful from the point of view of eliminating costly complaint processing that it is viewed as necessary in any reorganization. From the authorized complement of civilian positions, the civilian supervisors and operational people for the stations will be drawn. Training and administrative staff will have to be added to the strength of the Force. Further, reclassification will be required for personnel and job descriptions developed to reflect the changing nature of their work. Although not previously stated, the objective of the Police officers involved in this operation is to provide the support to civilian enforcement officers and develop parking enforcement personnel to perform the supervisory and management tasks necessary.

Traffic Support Services (TSS) must remain as an administratively and operationally viable unit. This can be accomplished within the command structure or by defining a separate unit to perform non-parking related tasks within Traffic Operations. Because of the nature of the tasks performed in TSS, the current complement of Police officers and civilian staff will still be required. Only those members performing duties related to parking enforcement will be assigned to parking enforcement support functions.

Tasks for implementation include personnel changes, equipment and building acquisition, amalgamation of Parking Tag Operations and Traffic Support Services at the East site and retraining two hundred parking enforcement officers while maintaining the operational effectiveness of Traffic Support Services and Parking Tag Operations. To accomplish effective integration of enforcement and administration, the police will be required to:

(a) identify and train civilian supervisors and managers to assist, where appropriate, in the operation of consolidated parking enforcement;

(b) develop policy, procedure and standard operating practices manuals as appropriate to the operation;

(c) develop effective training and management support for all parking enforcement personnel including contractors;

(d) create and equip a response centre aimed specifically at parking problems as a sub-set of the Metropolitan Toronto Police Force Computer Aided Dispatch system and provide the necessary personnel to staff it;

(e) have parking enforcement officers, cadets and all other personnel assigned to parking enforcement functions or resultant administrative duties transferred to come under the direction of the Staff Superintendent, Traffic Operations. Such personnel will then be deployed as appropriate to give effect to the objectives of Traffic Operations in the management of parking in Metropolitan Toronto;

(f) develop appropriate job descriptions to facilitate retaining qualified personnel at operational, supervisory and management levels;

(g) add the following personnel to Traffic Support Services:

1	Staff Inspector
1	Inspector
3	Staff Sergeants
1	Sergeant
1	Training Constable
15	Station Operators (Class 5, 40 Hour)

(h) reclassify the following civilian positions within Traffic Support Services:

10	Parking Enforcement Officers (Class 4, 40 Hour) reclassified as Senior Parking Enforcement Supervisors (not yet classified);
20	Parking Enforcement Officers (Class 4, 40 Hour) reclassified as Senior Parking Enforcement Officers (Class 5, 40 Hour);
3	Parking Enforcement Officer positions reclassified as Administrative Coordinators (Class 7, 35 hour)
4	Parking Enforcement Officer (Class 4, 40 Hour) positions reclassified as Clerical Assistants (Class 4, 35 hour)

(i) purchase the following communications equipment and vehicles through approved vendors to the Force:

30	Hand held Motorola Radios (1991 Appropriation.)
50	Hand held Motorola Radios, 2 Base Stations (1992 Appropriation.)
41	Mobile Data Terminals (1992 Appropriation.)
13	Compact Cars (1992 Appropriation.)
6	Motorcycles (1992 Appropriation.)
12	Bicycles (1992 Appropriation.)
6	Microcomputers with laser printers (1991 Appropriation.)
	Training equipment and furniture (1991 Appropriation.)

(j) in cooperation with Metro Parks and Property, and Metro Treasury, acquire the following facilities:

Central west site, 20,000 square feet
Central east site, 20,000 square feet
Central downtown site, with motorcycle garage, 10,000 square feet

(k) renovate, furnish and equip the three sites required to accommodate police needs at an amount not to exceed $1,250,000.

Because of the amount of training required for personnel in this changeover and the need to conform with the Policy of the Force in relation to the Systems Approach to Training (SAT) extensive work will have to be done to get the necessary approvals. For this reason, approval of positions is necessary as follows:

January 1992
- Add 1 Staff Inspector
- Add 1 Staff Sergeant
- Add 1 Sergeant
- Add 1 Training Constable
- Add 5 Station Operators
- Reclassify 1 Administrative Coordinator

March 1992
- Reclassify 15 Senior Parking Enforcement Officers
- Reclassify 4 Senior Parking Enforcement Supervisors
- Reclassify 1 Clerk (Class 4)

July 1992
- Add 1 Inspector
- Add 2 Staff Sergeants
- Add 5 Station Operators
- Reclassify 1 Administrative Coordinator

November 1992
- Reclassify 5 Senior Parking Enforcement Officers
- Reclassify 6 Senior Parking Enforcement Supervisors
- Reclassify 1 Administrative Coordinator
- Reclassify 3 Clerk (Class 4)

With amalgamation from police divisions, some equipment will be useable at Traffic Support Services and other equipment will not be compatible. Currently, the volume of radio traffic exceeds the capacity available on the police bands and a system has been purchased from Motorola Corporation for parking enforcement. The radios used in divisions are operating at a different frequency and only few will be required (some of the police band radios are required for situations involving danger to parking enforcement officers and cadets necessitating immediate access the Police dispatcher). An additional 80 Motorola hand held radios and 3 base stations will be required for the integration.

The police radio system includes access to data transmission devices through the Mobile Data Terminal (MDT). This is invaluable for operational purposes and will be required in order to minimize voice communication and allow integrated dispatch. If traffic exceeds the threshold of one channel, another will be required. This will add staff costs for monitoring and, to avoid this, 41 MDT devices will be required.

Vehicles are supplied in divisions for only a small number of parking enforcement officers. The experience of the Special Parking Enforcement Unit is that the most effective and efficient deployment of personnel is in compact cars or motorcycles. The use of both modes of transportation ensures personnel do not waste time in moving from one area to another. This recognizes, of course, that there are areas in the downtown core which can only be effectively managed on foot or from a bicycle. The additional vehicles required will become necessary in 1992.

13 Compact Cars
6 Motorcycles
12 Bicycles

Purchase of furniture, computers and training equipment will occur when the needed facilities are ready in 1992. At this point, 6 microcomputers (80386, 68030 or higher) with laser printers will be required and must be compatible with Parking Tag Operations specifications.

Furniture, computers and other equipment will be included in the Sundry At Large account to cover the renovation, furnishing and operational needs of the combined operations. The needs of the police in this area are difficult to separate from Parking Tag Operations and will be maximized to the benefit of cost and efficiency. One-time costs for police are estimated at $1,300,000.00 for the full implementation of the project.

Two facilities having approximately 20,000 square feet each are required in addition to the current facility at 35 Strachan Avenue. The facility at Strachan Avenue is under the control of Metro Transportation who wish to have it for their own use. This will mean the acquisition of a downtown site to coincide with returning Strachan Avenue to Metro Transportation. The preferred location for the new facilities are central west (the City of York) and central east (the Borough of East York) to allow effective deployment. The downtown site will remain to manage the central core and in particular, the tag and tow program. The Municipal Law Enforcement office will be accommodated at the central east site with appropriate training and management facilities. The central west site will accommodate other parts of the necessary operations. Room will be made at the central and west sites for a fee collection facility to deal with the public. All complaints regarding the issuance of parking infraction notices will be dealt with at these locations by Parking Tag Operations. Police personnel will only be involved when an investigation is required.

Rent for each facility is expected to be approximately $500,000.00 per year and will be a reoccurring cost. Cost of renovation and furnishing is expected to be approximately $1,250,000. Additional computers and similar equipment will be supplied through Parking Tag Operations. All training facilities and equipment will be the responsibility of the police training team and will be shared with Parking Tag Operations as necessary.

The one-time costs and recurring costs for implementation are summarized below:

(Dollars in Thousands)	Metro Issues Notice of Intent to File & Notice of Fine & Due Date	Enforcement Consolidation
One-time costs	$2,115	$2,550
Recurring Costs	2,789	3,105

12.4 ESTIMATED REVENUE INCREASE

The expected benefit to Metropolitan Toronto of issuing a Notice of Intent to File includes increases in pre-court payment rate of approximately 10 percent, an additional pre-court quality control check, thereby, reducing the error rate filed with the courts, reduction in the number of default cases (unpaid tags) filed with the courts, thus reducing court overhead costs and an overall improvement in level of service to the public. The Notice of Intent to File process is expected to generate an annual revenue in excess of $9,300,000. It is important to note that since collection at this stage translates into less tags processed to conviction, the incremental effect on total revenue on an annualized basis from this process is estimated to be at least $7,400,000. The revenue estimates are presented in further detail in Schedule 14.4 - Revenue Estimates - Issue Notice of Intent to File.

The assumption of processing of default cases from the Court would result in PTO staff entering the convictions and cases quashed by a Justice of the Peace into the PTO computer system from the completed dockets. PTO staff will produce the conviction notice, called the Notice of Fine and Due Date (NFDD), from this file and add the $2.50 court cost to each tag. The NFDD process is expected to generate an annual revenue in excess of $13,200,000. With the current process, in 1991, Metropolitan Toronto expects to receive $9,800,000 in collected fines from the Court. The incremental effect on total revenue on an annualized basis from both processes is estimated to be at least $14,000,000. The increase in expected revenues is detailed in Schedule 14.5 - Revenue Estimates - Metro Assumes Default Processing.

The consolidation of parking enforcement will result in better deployment of parking enforcement officers and it is estimated that tag issuance will increase by at least 300,000 annually. The incremental effect on total revenue on an annualized basis is estimated to be at least $5,300,000 and is detailed in Schedule 14.6 - Revenue Estimates - Effect of Enforcement Consolidation.

The introduction of the Notice of Intent to File and the assumption of the processing of default cases and the production of the Notice of Fine and Due Date requires an amendment to POA II legislation extending the deadline for filing of default cases from 45 to 75 days and allowing Metro Toronto to assume the processing function.

The annualized effect on revenues is best illustrated by the chart below:

(Dollars in Thousands)	1991 Budget	Metro Issues Notice of Intent to File	Metro Issues Notice of Fine and Due Date	Enforcement Consolidation
Pre-court payment	$32,700	$34,000	$34,000	$37,200
Notice of Intent to File		9,300	9,300	10,100
Notice of Fine and Due Date	9,800	6,600	13,200	14,500
	$42,500	$49,900	$56,500	$61,800
Revenue Increase over 1991 Base		7,400	14,000	19,300

12.4 COST RECOVERY

It is proposed as part of the overall strategy that Metro negotiate an equitable arrangement with the Province, either through reimbursement by the Province or transfer of the court cost fee collected on fines to Metro, to offset the anticipated increase in operating costs with the assumption of default processing et al.

The increased costs of implementation and ongoing operations have not been adjusted, at this time, to reflect any recovery of costs from the Province of Ontario. If Metropolitan Toronto assumes the processing of the Notice of Fine and Due Date from the Province, it would be appropriate for the Province to provide funding for that process.

The Province currently adds a $2.50 court cost to each conviction of a default case (unpaid tag). While it would be desirable to receive specific funding from the Province to cover all costs of the process, an appropriate mechanism to defray costs may be to allow Metropolitan Toronto to retain all court costs collected. It is estimated that 432,000 payments will be received on default cases, with a resulting revenue to the Ministry from court costs of $1,080,000. Based on these estimated volumes, the estimated recovery of costs would be $1,080,000.

13.0 PARKING TAG PROCESS

13.1 PARKING TAG PROCESS - CURRENT

The following describes the parking tag processing cycle including scheduled timing:

STEP	ACTION	DAY
1.	A Parking Infraction Notice (PIN) is issued for a parking-related offence by a Parking Enforcement Officer, Police Officer/Cadet, Municipal Law Enforcement Officer, TTC Inspector.	1
2.	After a Parking Infraction Notice has been issued, the second copy, the Certificate of Parking Infraction (CPI), is forwarded to the Police Summons Bureau, then to Parking Tag Operations (PTO) by Police Courier.	2-3
3.	Upon receipt by PTO, all CPI's are processed on a document handler, which microfilms each CPI (for a permanent record) and captures and stores the tag number and court office designation. The data from the CPI is transferred to a master file on the PTO computer system. All CPI's are stored for future processing.	2-3
4.	a) Payments may be made by mail, at any chartered bank, at area municipality office, or at PTO's counter. Payments are accepted at any time from the date of infraction up to the 25th day after the date of infraction. These are forwarded to PTO, daily, for processing on the computer system. b) Or, a person may complete the Request for Trial (RFT) box on the reverse of the PIN and forward it to PTO for processing.	1-30
5.	On the 16th day after the infraction date, PTO staff use the document handler to sort and separate unpaid Certificates of Parking Infraction from paid CPI's. (The paid CPI's are destroyed). At this time, requests for trial are also separated and stored.	16
6.	Data Operators then key data from the unpaid Certificates of Parking Infraction updating the master computer file with vehicle plate number, municipal by-law code violated, date, location and time of infraction.	16-17
7.	A computer tape is prepared for unpaid Certificates of Parking Infraction and Trial Requests and is sent to the Ministry of Transportation (MTO) to obtain the name and address of the registered owner of the vehicle plate number as of the date of infraction.	18-20
8.	(MTO) produces a Certificate of Ownership label for each Certificate of Parking Infraction processed and returns this ownership information on a computer tape and the labels to PTO. This information is used to update the computer records at PTO.	19-21

9. On the 30th day after the date of infraction, all Certificates of Parking Infraction are separated into paid tags, unpaid tags and trial requests. The unpaid tags and trial requests are sorted into numerical sequence. 30

10. Each unpaid Certificate of Parking Infraction is then processed for filing with the area Courts. This involves: 31-45

a) attaching each unpaid Certificate of Parking Infraction and Certificate of Ownership (label) to a Court Filing Document (Certificate of Non-Payment) prescribed by the Ministry of the Attorney General (MAG);

b) scanning the Certificate of Parking Infraction using a computer wand and computer, printing the number of the specific municipal by-law violated on the Court Filing Document;

c) reviewing all documents to ensure correct plate number on all three documents. All tags are filed as close to the due date (45 days from Date of Infraction) as possible. This allows the maximum number of payments to be received; and

d) preparing the documents and Certificate Control Lists (summary lists) and filing with the appropriate court office.

11. Unpaid Certificates of Parking Infraction are then reviewed by a Justice of the Peace. If the documentation is considered valid, a conviction is entered. If not, the case is quashed. *(MAG responsibility).* 45-90

12. If an unpaid CPI or a trial request results in a conviction, the Provincial Court sends to the convicted vehicle owner a Notice of Fine and Due Date. The registered plate owner has 30 days to pay the set fine plus $2.50 court fee. Payments are made to any Provincial Court office. *(MAG responsibility).* 90

13. If the plate owner fails to pay the Notice of Fine and Due Date, another reminder notice (Statement of Account) is issued by the Default Fines Control Centre which allows 30 days to pay and adds an additional $10.00 Court cost. *(MAG responsibility).* 130

14. If the convicted party fails to respond to the Notice and Statement of Account, the Ministry of the Attorney General transfers the outstanding fines to the Ministry of Transportation for collection on the registered plate owner's vehicle licence renewal application, to be paid at time of renewal of the vehicle plate. *(Ministry of Transportation responsibility).* 170-?

13.2 PARKING TAG PROCESS - PROPOSED

The following describes the parking tag processing cycle within the proposed consolidated parking enforcement and administrative strategy:

STEP	ACTION	DAY
1.	A Parking Infraction Notice (PIN) is issued for a parking-related offence by a Parking Enforcement Officer, Police Officer/Cadet, Municipal Law Enforcement Officer, TTC Inspector.	1
2.	After a Parking Infraction Notice has been issued, the second copy, the Certificate of Parking Infraction (CPI), is forwarded to Traffic Support Services, then to Parking Tag Operations (PTO).	2-3
3.	Upon receipt by PTO, all CPI's are processed on a document handler, which microfilms each CPI (for a permanent record) and captures and stores the tag number and court office designation. The data from the CPI is transferred to a master file on the PTO computer system. All CPI's are stored for future processing.	2-3
4.	a) Payments may be made by mail, at any chartered bank, at area municipality office, or at PTO office. Payments are accepted at any time from the date of infraction up to the 25th day after the date of infraction. These are forwarded to PTO, daily, for processing on the computer system.	1-25
	b) Or, a person may complete the Request for Trial (RFT) box on the reverse of the PIN and forward it to PTO for processing.	
5.	PTO staff use the document handler to sort and separate unpaid CPIs from paid CPIs. (The paid CPIs are destroyed). The copy of the CPIs for requests for trial are also separated.	16
6.	Data Operators then key data from the unpaid CPIs updating the master computer file with vehicle plate number, municipal by-law code violated, date, location and time of infraction.	16-17
7.	Information for unpaid CPIs and RFTs is transmitted to the Ministry of Transportation (MTO) to obtain the name and address of the registered owner of the vehicle plate number on the date of infraction.	18-19
8.	MTO produces a Certificate of Ownership record for the each CPI processed and returns (transmits) this ownership information to PTO. This information is used to update PTO computer records for future processing.	19-20
9(a).	A Notice of Intent to File is issued for all unpaid CPIs (excepting RFTs) for which a Certificate of Ownership record has been received.	21-25

9(b).	Prepare Court Filing Documents for RFTs and forward to appropriate Court office	21-25
10(a).	Process payments made through post office box, bank and PTO office.	26-55
10(b).	Investigate complaints of error and returns from the Post Office	27-55
11.	Process corrections, refunds, stop process resulting from investigations of returns from Notice of Intent to File	25-56
12(a).	Prepare fail to respond (unpaid tag) dockets for filing with the Courts	}
12(b).	Prepare Court Filing Document and attach CPIs for review by Justice of the Peace	} 56-75
12(c).	Forward fail to respond documents to Court	}
13.	Justice of the Peace reviews and convicts or quashes fail to respond and approves enforcement for plate denial if not paid within prescribed time limits	76-80
14.	Court filing Documents returned to municipality and Judicial decision entered into computer	81-84
15.	Issue Notice of Fine and Due Date for all convictions	85-87
16.	Process payments and investigate complaints of errors	86-120
17.	Forward all unpaid convictions to Defaulted Fines Control Centre (DFCC) for issuing Statement of Account and enforcement and collection under plate denial (ICON responsibility)	126-130
18.	Collect unpaid fines and remit to municipality (MAG and MTO responsibility)	131 - ?

14.0 SCHEDULES

14.1 PARKING TAG OPERATIONS - ANNUALIZED COSTS

NON-RECURRING COSTS	Total
Computer Hardware	550,000
Application and system software	390,000
Furniture and fixtures	100,000
Project Management	100,000
Staff Training	25,000
Renovations	525,000
Communications program	400,000
Contingency	25,000
	2,115,000

RECURRING COSTS	Annualized
Contracted Services - Notice of Intent to File	
Print Notices (1,216,000 @ .22)	270,000
Postage out (1,216,000 @ .375)	460,000
Return postage (304,000 @ .48)	150,000
Payments processing (304,000 @ .26)	80,000
	960,000
Contracted Services - Notice of Fine and Due Date	
Print Notices (866,000 @ .22)	190,000
Postage out (866,000 @ .375)	325,000
Payments processing (433,000 @ .26)	115,000
	630,000
Total Contracted Services	1,590,000
Rent	370,000
Staffing	739,000
Software/hardware maintenance	55,000
Other, telephone, photocopier, etc.	35,000
TOTAL	2,789,000
Less - recovery from the Ministry of the Attorney General (433,000 @ 2.50)	(1,080,000)
Net recurring costs	1,709,000

Assumptions:

1. 25% of Notice of Intent to File paid - 50% of Notice of Fine and Due Date paid
2. Postage paid return envelope mailed with Notice of Intent to File
3. Ministry of the Attorney General agrees to pay court costs to Metro

14.2 CONSOLIDATION OF ENFORCEMENT - ANNUALIZED COSTS

NON-RECURRING COSTS		Total
Furniture, fixtures, equipment, lockers		1,300,000
Acquisition and site renovations		
East	500,000	
West	500,000	
Central	250,000	1,250,000
TOTAL		2,550,000

RECURRING COSTS		Annualized
Staffing		
Pound Management	124,800	
MLE Management	48,100	
Cadet Program	39,000	
Parking Enforcement Officers	627,250	
Administration	169,000	1,008,150
Equipment		596,850
Rent		
East	500,000	
West	500,000	
Central	500,000	1,500,000
TOTAL Recurring Costs		3,105,000

14.3 REVENUE ESTIMATES - BUDGET 1991

	#	%	$*
METRO TORONTO			
Tags Issued	3,200,000	100.0	
Pre-court Payment	1,536,000	48.0	32,640,000[1]
Stop Process/RFT	384,000	12.0	
Unpaid (filed to Court)	1,280,000	40.0	
PROVINCIAL COURT			
Fail to Respond (unpaid)	1,280,000	100.0	
Convicted (Notice of Fine and Due Date)	1,216,000	95.0	
Quashed/Errors	64,000	5.0	
Payments	320,000	25.0	9,760,000[2]
Forward to DFCC	896,000		
Total budget			42,400,000
Say			42,500,000

Source - Parking Tag Operations

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[1] Average tag payment $21.25

[2] Average default filed $30.50

14.4 REVENUE ESTIMATES - ISSUE NOTICE OF INTENT TO FILE

	#	%	$*
METRO TORONTO			
Tags Issued	3,200,000	100.0	
Pre-court Payment	1,600,000	50.0	34,000,000[1]
Stop Process/RFT	384,000	12.0	
Notice of Intent to File	1,216,000	38.0	
Payments (25% of notices)	304,000	9.5	9,300,000[2]
Unpaid (filed to Court)	912,000	28.5	
PROVINCIAL COURT			
Fail to Respond (unpaid)	912,000	100.0	
Convicted (Notice of Fine and Due Date)	866,000	95.0	
Quashed/Errors	46,000	5.0	
Payments	216,000	25.0	6,600,000
Forward to DFCC	650,000		
			49,900,000

1. Notice of Intent to File produced by Metro

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[1] Average tag payment $21.25

[2] Average default filed $30.50

14.5 REVENUE ESTIMATES - METRO ASSUMES DEFAULT PROCESSING

	#	%	$*
METRO TORONTO			
Tags Issued	3,200,000	100.0	
Pre-court Payment	1,600,000	50.0	34,000,000[1]
Stop Process/RFT	384,000	12.0	
Notice of Intent to File	1,216,000	38.0	
Payments (25% of notices)	304,000	9.5	9,300,000[2]
Unpaid (filed to Court)	912,000	28.5	
PROVINCIAL COURT[3]			
Fail to Respond (unpaid)	912,000	100.0	
Convicted (Notice of Fine and Due Date)	866,000	95.0	
Quashed/Errors	46,000	5.0	
Payments	433,000	50.0	13,200,000
Forward to DFCC	433,000		
			56,500,000

1. Notice of Intent to File and Notice of Fine and Due Date produced by Metro

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[1] Average tag payment $21.25

[2] Average default filed $30.50

[3] Assumes processing taken over by Metro

14.6 REVENUE ESTIMATES - EFFECT OF ENFORCEMENT CONSOLIDATION

	#	%	$*
METRO TORONTO			
Tags Issued	3,500,000	100.0	
Pre-court Payment	1,750,000	50.0	37,200,000[1]
Stop Process/RFT	420,000	12.0	
Notice of Intent to File	1,330,000	38.0	
Payments (25% of notices)	332,500	9.5	10,100,000[2]
Unpaid (filed to Court)	997,500	28.5	
PROVINCIAL COURT[3]			
Fail to Respond (unpaid)	997,500	100.0	
Convicted (Notice of Fine and Due Date)	947,500	95.0	
Quashed/Errors	50,000	5.0	
Payments	473,750	50.0	14,500,000
Forward to DFCC	473,750		
			61,800,000

1. Notice of Intent to File and Notice of Fine and Due Date produced by Metro

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[1] Average tag payment $21.25

[2] Average default filed $30.50

[3] Assumes processing taken over by Metro